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Oct 1956

**WESTERN UNION**  
SENDING BLANK

CALL LETTERS **MDV** CHARGE TO **Int Bro of Teamsters**

Page 1 of 2 July 2, 1956

Honorable Adam Clayton Powell, Jr.  
House of Representatives  
Washington, D.C.

*Civil Rights*  
*Powell, Adam Clayton, Jr.*

The following wire received from you quote Andrew Biemiller and Robert Oliver paid full time by AFL-CIO are lobbying vigorously against civil rights and following the lead of the Dixie-Crats in Congress by openly opposing the Powell amendment. Does your organization which includes many negroes and right thinking whites endorse the use of their dues to help defeat the first legislative test of the Supreme

Send the above message, subject to the terms on back hereof, which are hereby agreed to

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1247—(2-4-55)

*Tele*

# WESTERN UNION

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*Tele*



Call  
1-800-333-3333

1-800-333-3333

Page 2 of 2

Court integration decision ? I will take this to the floor of Congress Monday and therefore expect to hear from you before then. With every good wish . signed Adam Clayton Powell Jr. Member of Congress unquote. The subject matter referred to is being handled by the Legislative Representative of the AFL-CIO.

Dave Beck  
General President  
Int. Bro. of Teamsters

EOM:b

Send the above message, subject to the terms on back hereof, which are hereby agreed to

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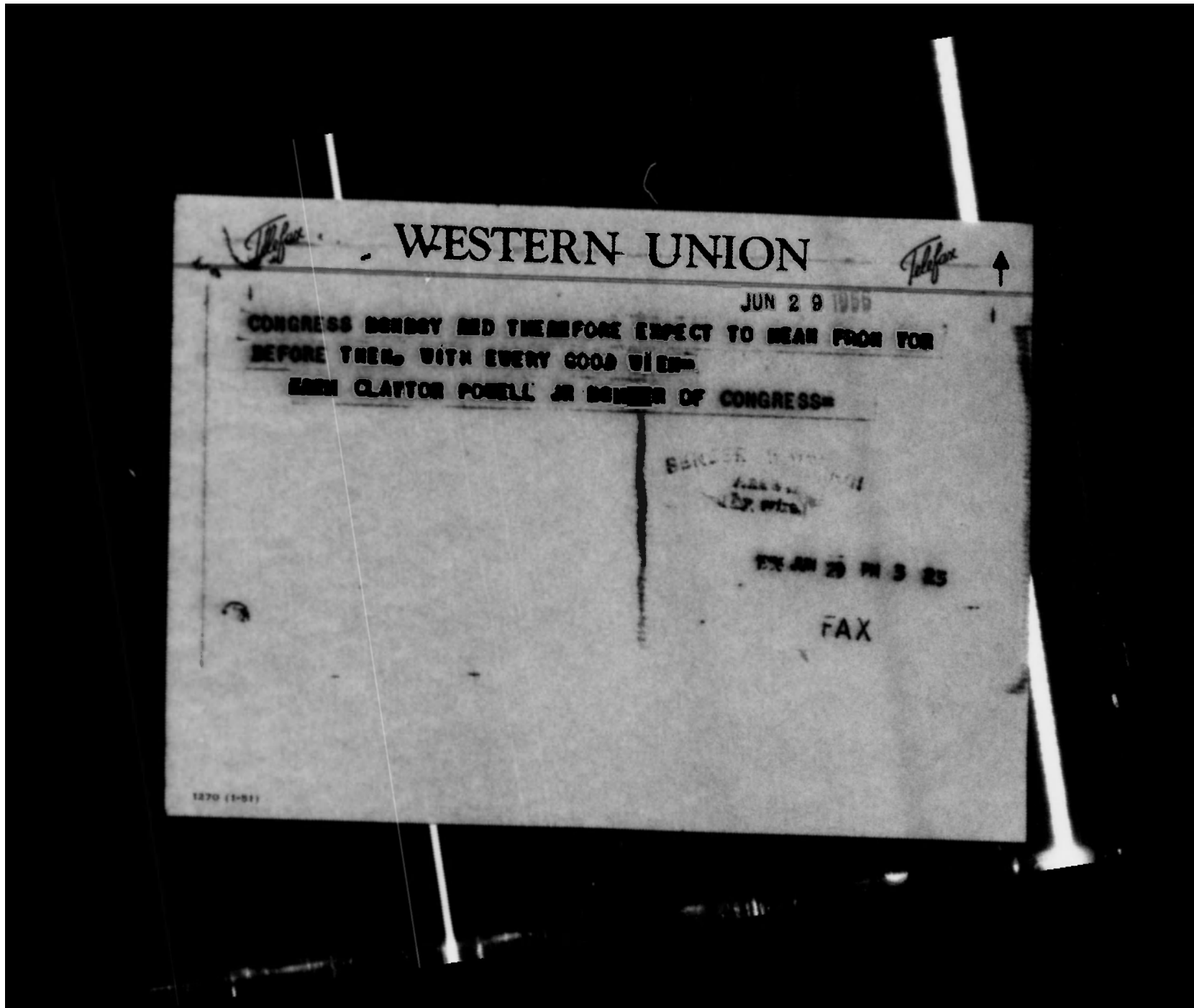
(24P—R 4-55)

WESTERN UNION

V 104000-109 LONG WENT PM-DU WASHINGTON DC 89 NPT-  
DAVID BECK TEAMSTERS UNION *Sheet 1 of 2*  
100 INDIANA AVE NORTHWEST WASHDC

ANDREW BRUNNER AND GREGORY OLIVER PAID FULL TIME BY  
AFL-CIO ARE LOBBYING VIOLENTLY AGAINST CIVIL RIGHTS AND  
FOLLOWING THE LEAD OF THE DIXIE-CRATS IN CONGRESS BY  
OPENLY OPPOSING THE POWELL AMENDMENT. DOES YOUR  
ORGANIZATION WHICH INCLUDES MANY NEGROES AND RIGHT  
THINKING WHITE PEOPLE THE USE OF THEIR DUES TO HELP  
DEFEAT THE FIRST LEGISLATIVE TEST OF THE SUPREME COURT  
INTERPRETATION DECISION? I WILL TAKE THIS TO THE FLOOR OF





Cong. Adam Clayton Powell Jr.

The following wire received from you

Quots The subject matter referred to is  
being handled by the legislative rep  
of the A.F.L.-C.I.O.

Sig Dave Bush

ADMINISTRATIVE FILE  
Civil Rights and  
Privileges Act of 1956  
X Legislation-S. 3415

84TH CONGRESS  
2d Session

S. 3415

IN THE SENATE OF THE UNITED STATES

MARCH 12 (legislative day, March 6), 1956

Mr. TUCKER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To establish a Federal Commission on Civil Rights and Privileges;  
to promote observance of the civil rights of all individuals;  
and to aid in eliminating discrimination in employment  
because of race, creed, or color.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That this Act may be cited as the "Civil Rights and  
4 Privileges Act of 1956".

5 FINDINGS AND DECLARATION OF POLICY

6 SEC. 2. The Congress hereby finds and declares—

7 (a) that it is the policy of the United States to  
8 encourage and promote observance of, and respect for,  
9 the civil rights and privileges of all individuals under  
10 the Constitution and laws of the United States;

2

9 (c) that it is the policy of the United States to  
10 bring about the elimination of discrimination because  
11 of race, creed, or color in employment relations.

13 SEC. 3. (a) There is hereby created a commission to

13 SEC. 3. (a) There is hereby created a commission to  
14 be known as the Federal Commission on Civil Rights and  
15 Privileges (hereinafter referred to as the "Commission"),  
16 which shall be composed of five members who shall be  
17 appointed by the President, by and with the advice and  
18 consent of the Senate. One of the original members shall  
19 be appointed for a term of one year, one for a term of  
20 two years, one for a term of three years, one for a term  
21 of four years, and one for a term of five years, but their  
22 successors shall be appointed for terms of five years each,  
23 except that any individual chosen to fill a vacancy shall be  
24 appointed only for the unexpired term of the member whom  
25 he shall succeed. The President shall designate one mem-

ber to serve as Chairman of the Commission. Any member of the Commission may be removed by the President upon notice and hearing for neglect of duty or malfeasance in office, but for no other cause.

(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and three members of the Commission shall at all times constitute a quorum.

(c) The Commission shall have an official seal which shall be judicially noticed.

(d) Each member of the Commission shall receive a salary at the rate of \$12,000 a year, and shall not engage in any other business, vocation, or employment.

(e) The principal office of the Commission shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place and may establish such regional offices as it deems necessary. The Commission may, by one or more of its members or by such agents or agencies as it may designate, conduct any investigation, proceeding, or hearing necessary to its functions in any part of the United States.

(f) The Commission shall have power—

(1) to appoint such officers and employees as it deems necessary to assist it in the performance of its functions;



(2) to cooperate with or utilize regional, State, local, and other agencies and to utilize voluntary and uncompensated services;

(3) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents or agencies the same witness and mileage fees as are paid to witnesses in the courts of the United States;

(4) from time to time to make, amend, and rescind, in such manner prescribed by the Administrative Procedure Act, such rules and regulations as may be necessary to carry out the provisions of this Act;

(5) to serve process or other papers of the Commission, either personally, by registered mail, or by leaving a copy at the principal office or place of business of the person to be served; and

(6) to make such technical studies as are appropriate to effectuate the purposes and policies of this Act and to make the results of such studies available to interested Government and nongovernmental agencies.

#### DUTIES OF THE COMMISSION

SEC. 4. (a) It shall be the duty of the Commission to promote and encourage observance of, and respect for, the civil rights and privileges of all individuals under the Constitution and laws of the United States—

1 (1) by making comprehensive studies of the extent  
2 of observance of, and respect for, such civil rights and  
3 privileges in different metropolitan districts and sections  
4 of the country and the effect of the lack of full observ-  
5 ance of, or respect for, such rights and privileges;

6 (2) by formulating, in cooperation with other  
7 interested public and private agencies, comprehensive  
8 plans to encourage and promote observance of, and  
9 respect for, such civil rights and privileges, as rapidly as  
10 possible, in all sections of the country;

11 (3) by publishing and disseminating reports and  
12 other information relating to the observance of, and  
13 respect for, such civil rights and privileges and ways and  
14 means for bringing about a full observance of, and  
15 respect for, such civil rights and privileges;

16 (4) by conferring, cooperating with, and furnish-  
17 ing technical assistance to private and public agencies  
18 in formulating and executing policies and programs to  
19 encourage and promote observance of, and respect for,  
20 such civil rights and privileges;

21 (5) by receiving and investigating complaints  
22 charging a violation of any civil right or privilege and  
23 by investigating other cases where it has reason to  
24 believe that any such violation has occurred; and

25 (6) by making specific and detailed recommenda-



1. . . . .  
2. . . . .  
3. . . . .  
4. . . . .

5. (b) It shall be the duty of the Commission to bring  
6. about the removal of discrimination in regard to hire or  
7. tenure, terms or conditions of employment, or union  
8. membership, because of race, creed, or color—

9. (1) by making comprehensive studies of such dis-  
10. crimination in different metropolitan districts and  
11. sections of the country and of the effect of such dis-  
12. crimination and of the best methods of eliminating it;

13. (2) by formulating, in cooperation with other in-  
14. terested public and private agencies, comprehensive  
15. plans for the elimination of such discrimination, as  
16. rapidly as possible, in regions or areas where such  
17. discrimination is prevalent;

18. (3) by publishing and disseminating reports and  
19. other information relating to such discrimination and  
20. to ways and means for eliminating it;

21. (4) by conferring, cooperating with, and furnish-  
22. ing technical assistance to employers, labor unions, and  
23. other private and public agencies in formulating and  
24. executing policies and programs for the elimination of  
25. such discrimination;

(5) by receiving and investigating complaints

7  
1 charging any such discrimination and by investigating  
2 other cases where it has reason to believe that any  
3 such discrimination is practiced; and

4 (B) by making specific and detailed recommendations  
5 to the interested parties in any such case as to  
6 ways and means for the elimination of any such dis-  
7 crimination.

8 (c) The Commission shall at the close of each fiscal  
9 year report to the Congress and to the President describing  
10 in detail the investigations, proceedings, and hearings it  
11 has conducted and their outcome, the decisions it has ren-  
12 dered, and the other work performed by it, and may make  
13 such recommendations for further legislation as may appear  
14 desirable. The Commission may make such other recom-  
15 mendations to the President or any Federal agency as it  
16 deems necessary or appropriate to effectuate the purposes  
17 and policies of this Act.

#### 18 INVESTIGATORY POWERS

19 SEC. 5. (a) For the purpose of all investigations, pro-  
20 ceedings, or hearings which the Commission deems necessary  
21 or proper for the exercise of the powers vested in it by this  
22 Act, the Commission, or its authorized agents or agencies,  
23 shall at all reasonable times have the right to examine or  
24 copy any evidence of any person relating to any such in-  
25 vestigation, proceeding, or hearing.

1 (b) Any member of the Commission shall have power  
2 to issue subpoenas requiring the attendance and testimony of  
3 witnesses and the production of any evidence relating to  
4 any investigation, proceeding, or hearing before the Com-  
5 mission, its member, agent, or agency conducting such in-  
6 vestigation, proceeding, or hearing.

7 (c) Any member of the Commission, or any agent or  
8 agency designated by the Commission for such purposes,  
9 may administer oaths, examine witnesses, receive evidence,  
10 and conduct investigations, proceedings, or hearings.

11 (d) Such attendance of witnesses and the production  
12 of such evidence may be required, from any place in the  
13 United States or any Territory or possession thereof, at  
14 any designated place of hearing.

15 (e) In case of contumacy or refusal to obey a subpoena  
16 issued to any person under this Act, any district court of the  
17 United States or the United States courts of any Territory  
18 or possession, or the District Court of the United States for  
19 the District of Columbia, within the jurisdiction of which  
20 the investigation, proceeding, or hearing is carried on or  
21 within the jurisdiction of which said person guilty of contu-  
22 macy or refusal to obey is found or resides or transacts busi-  
23 ness, upon application by the Commission shall have juris-  
24 diction to issue to such person an order requiring such  
25 person to appear before the Commission, its member, agent,

1 or agency, there to produce evidence if so ordered, or there  
 2 to give testimony relating to the investigation, proceeding,  
 3 or hearing; any failure to obey such order of the court may  
 4 be punished by it as a contempt thereof.

5 (f) No person shall be excused from attending and  
 6 testifying or from producing documentary or other evidence  
 7 in obedience to the subpoena of the Commission, on the  
 8 ground that the testimony or evidence required of him may  
 9 tend to incriminate him or subject him to a penalty or for-  
 10 feiture; but no individual shall be prosecuted or subjected  
 11 to any penalty or forfeiture for or on account of any transac-  
 12 tion, matter, or thing concerning which he is compelled,  
 13 after having claimed his privilege against self-incrimination,  
 14 to testify or produce evidence, except that such individual  
 15 so testifying shall not be exempt from prosecution and punish-  
 16 ment for perjury committed in so testifying.

#### 17 GOVERNMENT DEPARTMENTS AND AGENCIES

18 SEC. 6. (a) The Commission shall make a study and  
 19 investigation of the observance of, and respect for, civil rights  
 20 and privileges of individuals in the departments and agencies  
 21 of the Federal Government. The Commission shall recom-  
 22 mend to the President and the heads of such departments and  
 23 agencies specific plans to encourage and promote a full  
 24 observance of, and respect for, such civil right and privileges,



1 "and shall recommend to the Congress such legislation as it  
2 "deems necessary" to implement and effectuate such plans.

3 (h) The Commission shall make a study and investiga-  
4 tion of discrimination in regard to hire, or tenure, terms, or  
5 conditions of employment, in the departments and agencies  
6 of the Federal Government because of race, creed, or color,  
7 and shall recommend to the Congress a specific plan to  
8 eliminate it and such legislation as it deems necessary to  
9 eliminate it.

#### 10 WILLFUL INTERFERENCE WITH COMMISSION AGENTS

11 SEC. 7. Any person who shall willfully resist, impede,  
12 or interfere with, any member of the Commission or any of  
13 its agents or agencies in the performance of duties pursuant  
14 to this Act shall be punished by a fine of not more than  
15 \$5,000 or by imprisonment for not more than one year, or  
16 both.

#### 17 TITLE II—FINANCIAL ASSISTANCE TO THE 18 STATES

##### 19 GRANTS FOR CIVIL RIGHTS PROGRAMS

20 SEC. 201. Within the limit of funds made available  
21 under section 205 of this Act, the Commission is authorized  
22 to make grants to the States in the manner provided in this  
23 title to assist the States in carrying out programs designed to  
24 encourage and promote observance of, and respect for, the  
25 civil rights of individuals within the States, and to bring

1 about the removal of discrimination within the States in  
 2 regard to hire or tenure, terms or conditions of employment,  
 3 or union membership, because of race, creed, or color.

#### 4 ELIGIBILITY FOR ASSISTANCE

5 SEC. 202. To be eligible for financial assistance under  
 6 this title, a State shall give assurances satisfactory to the  
 7 Commission that—

8 (a) there has been established in such State, a  
 9 State agency charged with the duty of performing func-  
 10 tions on a State level similar to those functions imposed  
 11 by this Act upon the Commission; or

12 (b) there has been established in one or more  
 13 political subdivisions of such State, a local governmental  
 14 agency charged with the duty of performing functions  
 15 on a local level similar to those functions imposed by  
 16 this Act upon the Commission; and

17 (c) the purposes and policies of the State agency  
 18 or local governmental agencies, as the case may be, are  
 19 not inconsistent with purposes and policies of this Act  
 20 or with the policies of the Commission in performing  
 21 its duties under this Act.

#### 22 APPORTIONMENT OF FUNDS

23 SEC. 203. (a) In the case of each State which is eligible  
 24 for assistance under this title under the provisions of section  
 25 202 (a), the amount of assistance to be granted to such State

1 for each fiscal year shall not exceed an amount which bears  
 2 the same ratio to the total amount appropriated under section  
 3 205 for such fiscal year as the population of such State bears  
 4 to the total population of all the States.

5 (h) In the case of each State which is eligible for assist-  
 6 ance under this title solely under the provisions of section  
 7 202 (b), the amount of assistance to be granted to such State  
 8 for each fiscal year shall not exceed an amount which bears  
 9 the same ratio to the total amount appropriated under section  
 10 205 for such fiscal year as the population of the political sub-  
 11 divisions having local governmental agencies which provide  
 12 the basis for the State's eligibility bears to the total popula-  
 13 tion of all the States.

14 (c) Within the limitations prescribed by subsections (a)  
 15 and (b), the Commission shall make grants to the States  
 16 based upon need and the scope of the State or local program.

#### 17 PAYMENT OF FUNDS

18 SEC. 204. Payment of funds to eligible States shall be  
 19 made by the Commission to the State agency, or to the  
 20 State officer who, under State law, is charged with responsi-  
 21 bility for receiving such funds. In the case of any State  
 22 which is eligible for assistance under this title solely under  
 23 the provisions of section 202 (b), the Commission shall  
 24 require satisfactory assurances that funds paid to the State



1 will be transmitted to the local governmental agencies which  
2 provide the basis for the State's eligibility.

3 AUTHORIZATION OF APPROPRIATIONS

4 SEC. 205. For each fiscal year, commencing with the  
5 fiscal year ending June 30, 1956, there is authorized to be  
6 appropriated the sum of \$1,000,000 for making grants to  
7 the States under this title.

8 DEFINITION OF "STATE"

9 SEC. 206. As used in this title, the term "State" includes  
10 the District of Columbia, Alaska, and Hawaii.

84TH CONGRESS  
2d Session

S. 3415

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**A BILL**

To establish a Federal Commission on Civil Rights and Privileges; to promote observance of the civil rights of all individuals; and to aid in eliminating discrimination in employment because of race, creed, or color.

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By Mr. DIRksen

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MARCH 12 (legislative day, MARCH 6), 1956  
Read twice and referred to the Committee on the Judiciary

ADMINISTRATIVE FILE

Civil Rights

Legislation-HR 5348

84TH CONGRESS  
1ST SESSION

H. R. 5348

IN THE HOUSE OF REPRESENTATIVES

March 30, 1955

Mr. REXAS introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To protect the civil rights of individuals by establishing a Commission on Civil Rights in the executive branch of the Government, a Civil Rights Division in the Department of Justice, and a Joint Congressional Committee on Civil Rights, to strengthen the criminal laws protecting the civil rights of individuals, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,  
That this Act may be cited as the "Omnibus Human Rights Act of 1955".

TITLE I—COMMISSION ON CIVIL RIGHTS

Sec. 101. The Congress finds that the freedoms guaranteed by the Constitution of the United States have con-

ADMINISTRATIVE FILE  
Civil Rights  
7-15-67  
X

1 tributed, in large measure, to the rapid growth, productivity,  
2 and ingenuity, which characterizes our Nation; that, despite  
3 the continuing progress of our Nation with respect to the  
4 protection of the rights of individuals, the civil rights of some  
5 persons within the jurisdiction of the United States are being  
6 denied, abridged, or threatened. The Congress recognizes  
7 that the national security and general welfare of the United  
8 States calls for more adequate protection of the civil rights  
9 of individuals; and that the executive and legislative  
10 branches of our Government must be accurately and con-  
11 tinuously informed concerning the extent to which funda-  
12 mental constitutional rights are abridged or denied.

13     Sec. 102. There is created in the executive branch of the  
14 Government a Commission on Civil Rights (hereinafter  
15 called the "Commission"). The Commission shall be com-  
16 posed of five members who shall be appointed by the Presi-  
17 dent, by and with the advice and consent of the Senate.  
18 The President shall designate one of the members of the  
19 Commission as Chairman and one as Vice Chairman. The  
20 Vice Chairman shall act as Chairman in the absence or  
21 disability of the Chairman, or in the event of a vacancy  
22 in the office. Any vacancy in the Commission shall not  
23 affect its powers and shall be filled in the same manner  
24 in which the original appointment was made. Three mem-  
25 bers of the Commission shall constitute a quorum. Each



1 member of the Commission shall receive the sum of \$50  
2 per day for each day spent in the work of the Commission,  
3 together with actual and necessary traveling and subsistence  
4 expenses incurred while engaged in the work of the Com-  
5 mission (or, in lieu of subsistence, a per diem allowance  
6 at a rate not in excess of \$10).

7 SEC. 103. (a) It shall be the duty and function of the  
8 Commission to gather timely and authoritative information  
9 concerning economic, social, legal, and other developments  
10 affecting the civil rights of individuals under the Constitution  
11 and laws of the United States; to appraise the policies,  
12 practices, and enforcement program of the Federal Govern-  
13 ment with respect to civil rights; to appraise the activi-  
14 ties of the Federal, State, and local governments, and the  
15 activities of private individuals and groups, with a view to  
16 determining what activities adversely affect civil rights; to  
17 assist States, counties, municipalities, and private agencies  
18 in conducting studies to protect civil rights of all Americans  
19 without regard to race, color, creed, or national origin; and  
20 to recommend to the Congress legislation necessary to safe-  
21 guard and protect the civil rights of all Americans.

22 (b) The Commission shall make an annual report to the  
23 President and to the Congress, on its findings and recom-  
24 mendations, and it may in addition from time to time, as it  
25 deems appropriate or at the request of the President, advise

1 the President of its findings and recommendations with  
2 respect to any civil-rights matter.

3     SEC. 104. (a) The Commission may constitute such ad-  
4 visory committees and may consult with such representa-  
5 tives of State and local governments, and private organi-  
6 zations, as it deems advisable. The Commission shall, to the  
7 fullest extent possible, utilize the services, facilities, and in-  
8 formation of other Government agencies, as well as private  
9 research agencies, in the performance of its functions. All  
10 Federal agencies are directed to cooperate fully with the  
11 Commission to the end that it may effectively carry out its  
12 functions and duties.

13     (b) Within the limitations of its appropriations, the  
14 Commission is authorized to appoint a full-time staff director  
15 and such other personnel, to procure such printing and bind-  
16 ing, and to make such expenditures as, in its discretion, it  
17 deems necessary and advisable.

18     SEC. 105. (a) The Commission shall have power to  
19 issue subpoenas requiring the attendance and testimony of  
20 witnesses and the production of any evidence that relates to  
21 any matter under study or investigation. Any member of  
22 the Commission may administer oaths and affirmations, ex-  
23 amine witnesses, and receive evidence. Such attendance of  
24 witnesses and the production of such evidence may be re-

1 quired from any place in the United States or any Territory  
2 or possession thereof, at any designated place of hearing.

3 (b) In case of contumacy or refusal to obey a subpoena  
4 issued to any person, any district court of the United States  
5 or the United States court of any Territory or possession, or  
6 the District Court of the United States for the District of  
7 Columbia, within the jurisdiction of which the inquiry is  
8 carried on or within the jurisdiction of which said person  
9 guilty of contumacy or refusal to obey is found or resides or  
10 transacts business, upon application by the Commission shall  
11 have jurisdiction to issue to such person an order requiring  
12 such person to appear before the Commission, there to pro-  
13 duce evidence if so ordered, or there to give testimony  
14 touching the matter under investigation; and any failure to  
15 obey such order of the court may be punished by said court  
16 as a contempt thereof.

17 TITLE II—CIVIL RIGHTS DIVISION OF THE  
18 DEPARTMENT OF JUSTICE

19 SEC. 201. There shall be in the Department of Justice  
20 an additional Assistant Attorney General, learned in the law,  
21 who shall be appointed by the President, by and with the  
22 advice and consent of the Senate, and shall, under the  
23 direction of the Attorney General, be in charge of a Civil  
24 Rights Division of the Department of Justice concerned with



1 all matters pertaining to the preservation and enforcement of  
2 civil rights secured by the Constitution and laws of the  
3 United States.

4 SEC. 202. The personnel of the Federal Bureau of In-  
5 vestigation of the Department of Justice shall be increased  
6 to the extent necessary to carry out effectively the duties of  
7 such Bureau with respect to the investigation of civil-rights  
8 cases under applicable Federal law. Such Bureau shall in-  
9 clude in the training of its agents appropriate training and  
10 instructions, to be approved by the Attorney General, in  
11 the investigation of civil-rights cases.

12 TITLE III—JOINT COMMITTEE ON CIVIL RIGHTS

13 SEC. 301. There is established a Joint Committee on  
14 Civil Rights (hereinafter called the "joint committee"),  
15 to be composed of seven Members of the Senate, to be  
16 appointed by the President of the Senate, and seven Members  
17 of the House of Representatives, to be appointed by the  
18 Speaker of the House of Representatives. The party repre-  
19 sentation on the joint committee shall as nearly as may be  
20 feasible reflect the relative membership of the majority and  
21 minority parties in the Senate and House of Representatives.

22 SEC. 302. It shall be the function of the joint committee  
23 to make a continuing study of matters relating to civil rights,  
24 including the rights, privileges, and immunities secured and

1 protected by the Constitution and laws of the United States;  
2 to study means of improving respect for and enforcement  
3 of civil rights; and to advise with the several committees of  
4 the Congress dealing with legislation relating to civil rights.

5 SEC. 303. Vacancies in the membership of the joint  
6 committee shall not affect the power of the remaining mem-  
7 bers to execute the functions of the joint committee and shall  
8 be filled in the same manner as in the case of the original  
9 selection. The joint committee shall select a chairman and  
10 a vice chairman from among its members.

11 SEC. 304. The joint committee, or any duly authorized  
12 subcommittee thereof, is authorized to hold such hearings,  
13 to sit and act at such places and times, to require, by sub-  
14 pena or otherwise, the attendance of such witnesses and the  
15 production of such books, papers, and documents, to admin-  
16 ister such oaths, and to take such testimony, as it deems  
17 advisable. The provisions of section 102 to 104, inclusive,  
18 of the Revised Statutes, as amended (2 U. S. C. 192, 193,  
19 194), shall apply in case of any failure of any witness to  
20 comply with a subpoena or to testify when summoned under  
21 authority of this section. Within the limitations of funds  
22 available to it, the joint committee is empowered to appoint  
23 and fix the compensation of such experts, consultants, tech-  
24 nicians, and clerical and stenographic assistance, to procure

1 such printing and binding, and to make such expenditures as,  
 2 in its discretion, it deems necessary and advisable. The cost  
 3 of stenographic services to report hearings of the joint  
 4 committee, or any subcommittee thereof, shall not exceed  
 5 40 cents per hundred words.

6 Sec. 305. Funds available for the joint committee shall  
 7 be disbursed by the Secretary of the Senate on vouchers  
 8 signed by the chairman and vice chairman.

9 Sec. 306. The joint committee may constitute such  
 10 advisory committees and may consult with such representa-  
 11 tives of State and local governments and private organiza-  
 12 tions as it deems advisable.

13 **TITLE IV—CRIMINAL LAWS PROTECTING CON-**  
 14 **STITUTIONAL RIGHTS, PRIVILEGES, AND**  
 15 **IMMUNITIES**

16 Sec. 401. Section 241 of title 18, United States Code,  
 17 is amended to read as follows:

18 "§ 241. Conspiracy against rights of citizens  
 19 "(a) If two or more persons conspire to injure,  
 20 oppress, threaten, or intimidate any inhabitant of any State,  
 21 Territory, or District in the free exercise or enjoyment of  
 22 any right or privilege secured to him by the Constitution  
 23 or laws of the United States, or because of his having so  
 24 exercised the same; or

25 "If two or more persons go in disguise on the highway,

1 or on the premises of another, with intent to prevent or  
 2 hinder his free exercise or enjoyment of any right or privilege  
 3 so secured—

4 "They shall be fined not more than \$5,000 or impris-  
 5 oned not more than ten years, or both.  
 6 "(b) If any person injures, oppresses, threatens, or in-  
 7 timidates any inhabitant of any State, Territory, or District  
 8 in the free exercise or enjoyment of any right or privilege  
 9 secured to him by the Constitution or laws of the United  
 10 States, or because of his having so exercised the same; or

11 "If any person goes in disguise on the highway, or on  
 12 the premises of another, with intent to prevent or hinder his  
 13 free exercise or enjoyment of any right or privilege so sa-  
 14 cured—

15 "Such person shall be fined not more than \$1,000 or  
 16 imprisoned not more than one year, or both; or shall be fined  
 17 not more than \$10,000 or imprisoned not more than twenty  
 18 years, or both, if the injury or other wrongful conduct here-  
 19 shall cause the death or maiming of the person so injured  
 20 or wronged.

21 "(c) Any person or persons violating the provisions of  
 22 subsection (a) or (b) of this section shall be subject to suit  
 23 by the party injured, or by his estate, in an action at law,  
 24 suit in equity, or other proper proceeding for damages or



1. preventive or declaratory or other relief in the district courts,  
 2. concurrently with State and Territorial courts, shall have  
 3. jurisdiction of all proceedings under this subsection without  
 4. regard to the sum or value of the matter in controversy.

5. The term "district courts" includes any district court of the  
 6. United States as constituted by chapter 5 of title 28, United  
 7. States Code (28 U.S.C. 81 et seq.), and the United States  
 8. court of any Territory or other place subject to the jurisdic-  
 9. tion of the United States.

10. Sec. 402. Section 242 of title 18, United States Code, is  
 11. amended to read as follows:

12. "§ 242. Deprivation of rights under color of law  
 13. "Whoever, under color of any law, statute, ordinance,  
 14. regulation, or custom, willfully subjects, or causes to be  
 15. subjected any inhabitant of any State, Territory, or District  
 16. to the deprivation of any rights, privileges, or immunities  
 17. secured or protected by the Constitution and laws of the  
 18. United States, or to different punishments, pains, or penali-  
 19. ties, on account of such inhabitant being an alien, or by rea-  
 20. son of his color or race, than are prescribed for the punish-  
 21. ment of citizens, shall be fined not more than \$1,000 or  
 22. imprisoned not more than one year, or both, or shall be  
 23. fined not more than \$10,000 or imprisoned not more than  
 24. twenty years, or both, if the deprivation, different punish-

ment, or other wrongful conduct hereinafter shall cause the death  
or maiming of the person so injured or wronged."

Sec. 403. (a) Title 18, United States Code, is amended  
by adding after section 242 thereof the following new section:

"§ 242A. Enumeration of rights, privileges, and immunities  
The rights, privileges, and immunities referred to in  
section 242 shall be deemed to include, but shall not be  
limited to, the following:

"(1) The right to be immune from exactions of fines,  
or deprivations of property, without due process of law.  
(2) The right to be immune from punishment for  
crime or alleged criminal offenses except after a fair trial  
and upon conviction and sentence pursuant to due process  
of law.

"(3) The right to be immune from physical violence  
applied to exact testimony or to compel confession of crime  
or alleged offenses.

"(4) The right to be free of illegal restraint of the  
person.

"(5) The right to protection of person and property  
without discrimination by reason of race, color, religion, or  
national origin.

"(6) The right to vote as protected by Federal law."

(b) The analysis of chapter 13 of title 18, United States

1 Code, immediately preceding section 241 of such code, is

2 amended by inserting immediately after and below—

3 "242. Deprivation of rights under color of law."

4 the following:

5 "242A. Enumeration of rights, privileges, and immunities."

6 SEC. 404. If any provision of this title or the applica-

7 tion thereof to any person or circumstance is held invalid,

8 the validity of the remainder of the title and of the applica-

9 tion of such provision to other persons and circumstances

10 shall not be affected thereby.

11 TITLE V—LAWS PROTECTING RIGHT TO POLITI-

12 CAL PARTICIPATION

13 SEC. 501. Section 594 of title 18, United States Code,

14 is amended to read as follows:

15 "§ 594. Intimidation of voters

16 "Whoever intimidates, threatens, coerces, or attempts

17 to intimidate, threaten, or coerce, any other person

18 for the purpose of interfering with the right of such other

19 person to vote or to vote as he may choose, or of causing

20 such other person to vote for, or not to vote for, any candi-

21 date for the office of President, Vice President, Presidential

22 elector, Member of the Senate, or Member of the House of

23 Representatives, or Delegates or Commissioners from the

24 Territories and possessions, at any general, special, or pri-

25 mary election held solely or in part for the purpose of



1 selecting or electing such candidate, shall be fined not more  
2 than \$1,000 or imprisoned not more than one year, or both."

3 SEC. 502. Section 2004 of the Revised Statutes (42  
4 U. S. C. 1971) is amended to read as follows:

5 "Sec. 2004. All citizens of the United States who are  
6 otherwise eligible by law shall be entitled to and allowed the  
7 same and equal opportunity to qualify to vote and to vote at  
8 any general, special, or primary election by the people con-  
9 ducted in or by any State, Territory, district, county, city,  
10 parish, township, school district, municipality, or other Ter-  
11 ritorial subdivision, without distinction, direct or indirect,  
12 based on race, color, religion, or national origin; any consti-  
13 tution, law, custom, usage, or regulation of any State or Ter-  
14 ritory or by or under its authority, to the contrary notwith-  
15 standing. The right to qualify to vote, and to vote, as set  
16 forth herein, shall be deemed a right within the meaning of,  
17 and protected by, the provisions of section 242 of title 18,  
18 United States Code, section 1979 of the Revised Statutes  
19 (42 U. S. C. 1983), and other applicable provisions of law."

20 SEC. 503. In addition to the criminal penalties provided,  
21 any person or persons violating the provisions of section 594  
22 of title 18, United States Code, shall be subject to suit by the  
23 party injured, or by his estate, in an action at law, suit in  
24 equity, or other proper proceeding for damages or preventive  
25 or declaratory or other relief. The provisions of such section

1 and of section 2004 of the Revised Statutes shall also be  
 2 enforceable by the Attorney General in suits in the dis-  
 3 trict courts for preventive or declaratory or other relief.  
 4 The district courts, concurrently with State and Territorial  
 5 courts, shall have jurisdiction of all other proceedings under  
 6 this section without regard to the sum or value of the mat-  
 7 ter in controversy. The term "district courts" includes any  
 8 district court of the United States as constituted by chapter  
 9 5 of title 28, United States Code (28 U. S. C. 81 et seq.),  
 10 and the United States court of any Territory or other place  
 11 subject to the jurisdiction of the United States.

12 SEC. 504. If any provision of this title or the application  
 13 thereof to any person or circumstance is held invalid, the  
 14 validity of the remainder of the title and of the application  
 15 of such provision to other persons and circumstances shall  
 16 not be affected thereby.

17 TITLE VI—CRIMINAL LAWS RELATING TO CON-  
 18 VICT LABOR, PEONAGE, SLAVERY, AND  
 19 INVOLUNTARY SERVITUDE

20 SEC. 601. Subsection (a) of section 1581 of title 18,  
 21 United States Code, is amended to read as follows:

22 "(a) Whoever holds or returns any person to a con-  
 23 dition of peonage, or arrests any person with the intent of  
 24 placing him in or returning him to a condition of peonage,

1 or attempts to hold, return, or arrest any person with such  
2 intent, shall be fined not more than \$5,000 or imprisoned  
3 not more than five years, or both."

4 SEC. 602. Section 1583 of such title is amended to read  
5 as follows:

6 "§ 1583. Enticement into slavery

7 "Whoever holds or kidnaps or carries away any other  
8 person, or attempts to hold, kidnap, or carry away any  
9 other person, with the intent that such other person be  
10 held in or sold into involuntary servitude, or held as a  
11 slave; or

12 "Whoever entices, persuades, or induces, or attempts to  
13 entice, persuade, or induce, any other person to go on board  
14 any vessel or other means of transportation or to any other  
15 place within or beyond the United States with the intent  
16 that he be made a slave or held in involuntary servitude--

17 "Shall be fined not more than \$5,000 or imprisoned not  
18 more than five years, or both."

19 SEC. 603. Section 1584 of such title is amended to read  
20 as follows:

21 "§ 1584. Sale into involuntary servitude

22 "Whoever knowingly and willfully holds to involuntary  
23 servitude, or sells into any condition of involuntary servitude,  
24 any other person for any term, or brings within the United



1 States any person so held, or attempts to commit any of the  
2 foregoing acts, shall be fined not more than \$5,000 or im-  
3 prisoned not more than five years, or both."

4 TITLE VII—PROHIBITION AGAINST DISCRIMI-  
5 NATION IN INTERSTATE TRANSPORTATION

6 SEC. 701. (a) All persons traveling within the juris-  
7 diction of the United States shall be entitled to the full and  
8 equal enjoyment of the accommodations, advantages, and  
9 privileges of any public conveyance operated by a common  
10 carrier engaged in interstate or foreign commerce, and all  
11 the facilities furnished or connected therewith, subject only  
12 to conditions and limitations applicable alike to all persons,  
13 without discrimination or segregation based on race, color,  
14 religion, or national origin.

15 (b) Whoever, whether acting in a private, public, or  
16 official capacity, denies or attempts to deny to any person  
17 traveling within the jurisdiction of the United States the  
18 full and equal enjoyment of any accommodation, advantage,  
19 or privilege of a public conveyance operated by a common  
20 carrier engaged in interstate or foreign commerce, except for  
21 reasons applicable alike to all persons of every race, color,  
22 religion, or national origin, or whoever incites or otherwise  
23 participates in such denial or attempt, shall be guilty of a  
24 misdemeanor and shall, upon conviction, be subject to a fine  
25 of not to exceed \$1,000 for each offense, and shall also



1 be subject to suit by the injured person or by his estate, in  
2 an action at law, suit in equity, or other proper proceeding  
3 for damages or preventive or declaratory or other relief.  
4 Such suit or proceeding may be brought in any district court  
5 of the United States as constituted by chapter 5 of title 28,  
6 United States Code (28 U. S. C. 81 et seq.), or the United  
7 States court of any Territory or other place subject to the  
8 jurisdiction of the United States, without regard to the sum  
9 or value of the matter in controversy, or in any State or  
10 Territorial court of competent jurisdiction.

11       Sec. 702. It shall be unlawful for any common carrier  
12 engaged in interstate or foreign commerce, or any officer,  
13 agent, or employee thereof, to segregate, or attempt to segre-  
14 gate, or otherwise discriminate against passengers using any  
15 public conveyance or facility of such carrier engaged in  
16 interstate or foreign commerce, on account of the race,  
17 color, religion, or national origin of such passengers. Any  
18 such carrier or officer, agent, or employee thereof who  
19 segregates or attempts to segregate such passengers or other-  
20 wise discriminate against them on account of race, color,  
21 religion, or national origin shall be guilty of a misdemeanor  
22 and shall, upon conviction, be subject to a fine of not to  
23 exceed \$1,000 for each offense, and shall also be subject  
24 to suit by the injured person in an action of law, suit in  
25 equity, or other proper proceeding for damages or preventive

1 or declaratory or other relief. Such suit or proceeding may  
 2 be brought in any district court of the United States as con-  
 3 stituted by chapter 5 of title 28, United States Code (28  
 4 U. S. C. 81 et seq.), or the United States court of any  
 5 Territory or other place subject to the jurisdiction of the  
 6 United States, without regard to the sum or value of the  
 7 matter in controversy, or in any State or Territorial court  
 8 of competent jurisdiction.

9 jurisdiction of the United States  
 10 or value of the matter in controversy, or in any State or  
 11 Territorial court of competent jurisdiction.  
 12 Sec. 703. It shall be unlawful for any common carrier  
 13 engaged in interstate or foreign commerce, or any officer,  
 14 agent, or employee thereof, to segregate, or attempt to segre-  
 15 gate, or otherwise discriminate against passengers using any  
 16 public conveyance or facility of such carrier engaged in  
 17 interstate or foreign commerce, on account of the race,  
 18 color, religion, or national origin of such passengers. Any  
 19 such carrier or officer, agent, or employee thereof who  
 20 segregates or attempts to segregate such passengers or other-  
 21 wise discriminates against them on account of race, color,  
 22 religion, or national origin shall be guilty of a misdemeanor  
 23 and shall, upon conviction, be subject to a fine of not less  
 24 than \$1,000 for each offense, and shall also be subject  
 25 to suit by the injured person in an action of law, suit in  
 equity, or other proper proceeding for damages or preventive

84TH CONGRESS  
1ST SESSION

**H. R. 5348**

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**A BILL**

To protect the civil rights of individuals by establishing a Commission on Civil Rights in the executive branch of the Government, a Civil Rights Division in the Department of Justice, and a Joint Congressional Committee on Civil Rights, to strengthen the criminal laws protecting the civil rights of individuals, and for other purposes.

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By Mr. REUSS

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MARCH 30, 1965

Referred to the Committee on the Judiciary

ADMINISTRATIVE FILE  
Civil Rights  
X Legislation-H.R. 5349

84TH CONGRESS  
1ST SESSION

# H. R. 5349

## IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 1935  
Mr. RUSSELL introduced the following bill; which was referred to the Committee on the Judiciary

## A BILL

To amend and supplement existing civil-rights statutes.

Be it enacted by the Senate and House of Representatives

of the United States of America in Congress assembled,

That section 241 of title 18, United States Code, is amended

to read as follows:

"§ 241. Conspiracy against rights of citizens

"(a) If two or more persons conspire to injure, oppress,

threaten, or intimidate any inhabitant of any State, Terri-

tory, or District in the free exercise or enjoyment of any

right or privilege secured to him by the Constitution or laws

of the United States, or because of his having so exercised

the same; or



1 "If two or more persons go in disguise on the highway,  
2 or on the premises of another, with intent to prevent or  
3 hinder his free exercise or enjoyment of any right or privilege  
4 so secured—

5 They shall be fined not more than \$5,000 or imprisoned  
6 not more than ten years, or both.

7 "(b) If any person injures, oppresses, threatens, or in-  
8 timidates any inhabitant of any State, Territory, or District  
9 in the free exercise or enjoyment of any right or privilege  
10 secured to him by the Constitution or laws of the United

11 States, or because of his having so exercised the same; or

12 "If any person goes in disguise on the highway, or on  
13 the premises of another, with intent to prevent or hinder his  
14 free exercise or enjoyment of any right or privilege so  
15 secured—

16 Such person shall be fined not more than \$1,000 or  
17 imprisoned not more than one year, or both; or shall be  
18 fined not more than \$10,000 or imprisoned not more than  
19 twenty years, or both, if the injury or other wrongful con-  
20 duct herein shall cause the death or maiming of the person  
21 so injured or wronged.

22 "(c) Any person or persons violating the provisions of  
23 subsections (a) or (b) of this section shall be subject to suit  
24 by the party injured, or by his estate, in an action at law,  
25 suit in equity, or other proper proceeding for damages or

1 preventive or declaratory or other relief. The district courts,  
 2 concurrently with State and Territorial courts, shall have  
 3 jurisdiction of all proceedings under this subsection without  
 4 regard to the sum or value of the matter in controversy.  
 5 The term 'district courts' includes any district court of the  
 6 United States as constituted by chapter 5 of title 28, United  
 7 States Code (28 U. S. C. 81 et seq.), and the United States  
 8 court of any Territory or other place subject to the jurisdic-  
 9 tion of the United States."

10 Sec. 2. Section 242 of title 18, United States Code, is  
 11 amended to read as follows:

12 "§ 242. Deprivation of rights under color of law  
 13 "Whoever, under color of any law, statute, ordinance,  
 14 regulation, or custom, willfully subjects, or causes to be  
 15 subjected, any inhabitant of any State, Territory, or Dis-  
 16 trict to the deprivation of any rights, privileges, or immuni-  
 17 ties secured or protected by the Constitution and laws of  
 18 the United States, or to different punishments, pains, or  
 19 penalties, on account of such inhabitant being an alien, or by  
 20 reason of his color or race, than are prescribed for the pun-  
 21 ishment of citizens, shall be fined not more than \$1,000  
 22 or imprisoned not more than one year, or both; or shall be  
 23 fined not more than \$10,000 or imprisoned not more than  
 24 twenty years, or both, if the deprivation, different punish-

ment, or other wrongful conduct herein shall cause the death  
or maiming of the person so injured or wronged."

SEC. 3. (a) Title 18, United States Code, is amended by  
adding after section 242 thereof the following new section:

"§ 242A. Rights, privileges, and immunities. "The rights, privileges, and immunities referred to in  
section 242 shall be deemed to include, but shall not be  
limited to, the following:

"(1) The right to be immune from exactions of fines,  
or deprivations of property, without due process of law.

"(2) The right to be immune from punishment for  
crime or alleged criminal offenses except after a fair trial  
and upon conviction and sentence pursuant to due process  
of law.

"(3) The right to be immune from physical violence  
applied to exact testimony or to compel confession of crime  
or alleged offenses.

"(4) The right to be free of illegal restraint of the  
person.

"(5) The right to protection of person and property  
without discrimination by reason of race, color, religion, or  
national origin.

"(6) The right to vote as protected by Federal law."

(b) The analysis of chapter 15 of title 18, United States

1 Code, immediately preceding section 241 of such code, is  
2 amended by inserting immediately after and below

"242. Deprivation of rights under color of law."

3 the following:

"242A. Rights, privileges, and immunities."

4 SEC. 5. If any provision of this Act or the application  
5 thereof to any person or circumstance is held invalid, the  
6 validity of the remainder of the Act and of the application  
7 of such provision to other persons and circumstances shall not  
8 be affected thereby.



54TH CONGRESS  
1ST SESSION

**H. R. 5349**

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**A BILL**

To amend and supplement existing civil-rights statutes.

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By Mr. REED

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MARCH 30, 1935  
Referred to the Committee on the Judiciary

✓ADMINISTRATIVE FILE ✓

Civil Rights

X U.S. Justice Dept. of

X Legislation H.R. 5350

84th CONGRESS  
1st Session

H. R. 5350

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 1955

Mr. RANK introduced the following bill; which was referred to the Committee on the Judiciary

## A BILL

To reorganize the Department of Justice for the protection of civil rights.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That there shall be in the Department of Justice an addi-  
4 tional Assistant Attorney General, learned in the law, who  
5 shall be appointed by the President, by and with the advice  
6 and consent of the Senate, and shall, under the direction of  
7 the Attorney General, be in charge of a Civil Rights Divi-  
8 sion of the Department of Justice concerned with all matters  
9 pertaining to the preservation and enforcement of civil rights  
10 secured by the Constitution and laws of the United States.

11 SEC. 2. The personnel of the Federal Bureau of In-

ADMINISTRATIVE FILE  
Civil Rights  
H. R. 5350  
07-23-70

1 vestigation of the Department of Justice shall be increased  
2 to the extent necessary to carry out effectively the duties of  
3 such Bureau with respect to the investigation of civil-rights  
4 cases under applicable Federal law. Such Bureau shall in-  
5 clude in the training of its agents appropriate training and  
6 instructions, to be approved by the Attorney General, in  
7 the investigation of civil-rights cases.

84th CONGRESS  
1st Session  
H. R. 5350

A BILL

To reorganize the Department of Justice for  
the protection of civil rights.

By Mr. LUTCH

March 30 1955

Referred to the Committee on the Judiciary

A BILL

ADMINISTRATIVE FILE

Civil Rights  
X Legislation - H.R. 5351  
X

2

1 persons within the jurisdiction of the United States are being

2 denied, abridged, or threatened. **IT** Congress recognizes

3 that the national security and general welfare of the United

4 States call for prompt action by Congress. **H. R. 5351**

5 of individuals; and that the Executive and Legislative

6 branches of our Government must be accurately and con-

7 siderately informed concerning the extent to which funda-

8 mental constitutional rights are abridged or denied.

MARCH 30, 1955

9 Mr. Keenan introduced the following bill; which was referred to the Com-

10 mittee on the Judiciary

11 (Government a Commission on Civil Rights (hereinafter

12 called the "Commission"). The Commission shall be com-

13 posed of five members appointed by the Pres-

14 To establish a Commission on Civil Rights in the Executive

15 Branch of the Government.

16 **A BILL**

17 **To establish a Commission on Civil Rights in the Executive**

18 **Branch of the Government.**

19 **Be it enacted by the Senate and House of Representa-**

20 **tives of the United States of America in Congress assembled,**

21 **That this Act may be cited as the "Commission on Civil**

22 **Rights Act of 1955".**

23 **SEC. 2.** The Congress finds that the freedoms guaran-

24 teed by the Constitution of the United States have con-

25 tributed, in large measure, to the rapid growth, productivity,

26 and ingenuity, which characterizes our Nation; that, despite

27 the continuing progress of our Nation with respect to the

28 protection of the rights of individuals, the civil rights of some

29 expenses incurred while engaged in the work of the Com-



ADMINISTRATIVE FILE  
Civil Rights  
Legislation - H.R. 3521  
X

2

1 persons within the jurisdiction of the United States are being  
2 denied, abridged, or threatened. The Congress recognizes  
3 that the national security and general welfare of the United  
4 States call for more adequate protection of the civil rights  
5 of individuals; and that the Executive and Legislative  
6 Branches of our Government must be accurately and con-  
7 tinuously informed concerning the extent to which funda-  
8 mental constitutional rights are abridged or denied.

9 SEC. 3. There is created in the executive branch of the  
10 Government a Commission on Civil Rights (hereinafter  
11 called the "Commission"). The Commission shall be com-  
12 posed of five members who shall be appointed by the Presi-  
13 dent, by and with the advice and consent of the Senate.  
14 The President shall designate one of the members of the  
15 Commission as Chairman and one as Vice Chairman. The  
16 Vice Chairman shall act as Chairman in the absence or  
17 disability of the Chairman, or in the event of a vacancy  
18 in the office. Any vacancy in the Commission shall not  
19 affect its powers and shall be filled in the same manner  
20 in which the original appointment was made. Three mem-  
21 bers of the Commission shall constitute a quorum. Each  
22 member of the Commission shall receive the sum of \$50  
23 per day for each day spent in the work of the Commission,  
24 together with actual and necessary traveling and subsistence  
25 expenses incurred while engaged in the work of the Com-

1 mission (or, in lieu of subsistence, a per diem allowance  
2 at a rate not in excess of \$10).

3     Sec. 4. It shall be the duty and function of the Com-  
4 mission to gather timely and authoritative information con-  
5 cerning economic, social, legal, and other developments  
6 affecting the civil rights of individuals under the Constitution  
7 and laws of the United States; to appraise the policies,  
8 practices, and enforcement program of the Federal Govern-  
9 ment with respect to civil rights; to appraise the activi-  
10 ties of the Federal, State, and local governments, and the  
11 activities of private individuals and groups, with a view to  
12 determining what activities adversely affect civil rights; to  
13 assist States, counties, municipalities, and private agencies  
14 in conducting studies to protect civil rights of all Americans  
15 without regard to race, color, creed, or national origin; and  
16 to recommend to the Congress, legislation necessary to safe-  
17 guard and protect the civil rights of all Americans.

18     The Commission shall make an annual report to the Pres-  
19 ident and to the Congress of its findings and recommenda-  
20 tions, and it may in addition from time to time, as it deems  
21 appropriate or at the request of the President, advise the  
22 President of its findings and recommendations with respect  
23 to any civil-rights matter.

24     Sec. 5. (a) The Commission may constitute such ad-  
25 visory committees and may consult with such representa-

1 tives of State and local governments, and private organi-  
2 zations, as it deems advisable. The Commission shall, to the  
3 fullest extent possible, utilize the services, facilities, and in-  
4 formation of other Government agencies, as well as private  
5 research agencies, in the performance of its functions. All  
6 Federal agencies are directed to cooperate fully with the  
7 Commission to the end that it may effectively carry out its  
8 functions and duties.

9 (b) Within the limitations of its appropriations, the  
10 Commission is authorized to appoint a full-time staff director  
11 and such other personnel, to procure such printing and bind-  
12 ing, and to make such expenditures as, in its discretion, it  
13 deems necessary and advisable.

14 SEC. 104. (a) The Commission shall have power to  
15 issue subpoenas requiring the attendance and testimony of  
16 witnesses and the production of any evidence that relates to  
17 any matter under study or investigation. Any member of  
18 the Commission may administer oaths and affirmations, ex-  
19 amine witnesses, and receive evidence. Such attendance of  
20 witnesses and the production of such evidence may be re-  
21 quired from any place in the United States or any Territory  
22 or possession thereof, at any designated place of hearing.

23 (b) In case of contumacy or refusal to obey a subpoena  
24 issued to any person, any district court of the United States  
25 or the United States court of any Territory or possession, or



1 the District Court of the United States for the District of  
2 Columbia, within the jurisdiction of which the inquiry is  
3 carried on or within the jurisdiction of which said person  
4 guilty of contumacy or refusal to obey is found or resides or  
5 transacts business, upon application by the Commission, shall  
6 have jurisdiction to issue to such person an order requiring  
7 such person to appear before the Commission, there to pro-  
8 duce evidence if so ordered, or there to give testimony  
9 touching the matter under investigation, and any failure to  
10 obey such order of the court may be punished by said court  
11 as a contempt thereof.



84TH CONGRESS  
1ST SESSION

H. R. 5351

## A BILL

To establish a Commission on Civil Rights in  
the Executive Branch of the Government.

By Mr. BATES

MAJORITY 30 1955  
Referred to the Committee on the Judiciary

ADMINISTRATIVE FILE

Civil Rights  
X Legislation-H R 5503  
X

84TH CONGRESS  
1ST SESSION

## H. R. 5503

### IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 1955

Mr. AMERSON introduced the following bill; which was referred to the Committee on the Judiciary

## A BILL

To promote further respect for and observance of civil rights within the United States.

- 1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That this Act, divided into titles according to the follow-  
4 ing table of contents, may be cited as the "Civil Rights  
5 Act of 1955".

#### TABLE OF CONTENTS

- Title I. Civil Rights Commission.  
Title II. Prohibition against poll tax.  
Title III. Protection from mob violence and lynching.  
Title IV. Equality of opportunity in employment.

#### 6 TITLE I—CIVIL RIGHTS COMMISSION

- 7 SEC. 101. (a) There is hereby established a Civil Rights  
8 Commission (referred to in this title as the "Commission"),

ADMINISTRATIVE FILE  
2077 R 11-10-1962  
2077 R 11-10-1962

1 which shall be composed of three members appointed by  
2 the President, by and with the advice and consent of the  
3 Senate.

4 (b) The term of office of each member of the Com-  
5 mission shall be three years, except that the terms of the  
6 members first taking office shall expire, as designated by  
7 the President at the time of appointment, one at the end  
8 of one year, one at the end of two years, and one at the  
9 end of three years after the date of enactment of this Act,  
10 and any member appointed to fill a vacancy occurring prior  
11 to the expiration of the term for which his predecessor was  
12 appointed shall be appointed for the remainder of such term.

13 (c) The Commission shall elect a Chairman from  
14 among its members.

15 (d) Each member of the Commission shall be com-  
16 pensated at the rate of \$50 for each day he is engaged in  
17 the business of the Commission, and shall be allowed travel  
18 expenses as authorized by the Travel Expense Act of 1949.

19 SEC. 102. The Commission shall conduct a continuing  
20 study and investigation of the policies, practices, and en-  
21 forcement program of the Federal Government with respect  
22 to civil rights, and of the progress made throughout the  
23 Nation in promoting respect for and observance of civil  
24 rights. Each year the Commission shall report its findings  
25 and recommendations to the Congress.



## 1 TITLE II—PROHIBITION AGAINST POLL TAX

2 SEC. 201. The requirement that a poll tax be paid as  
3 a prerequisite to voting or registering to vote, in any primary  
4 or other election, for the selection of a President, a Vice  
5 President, electors for President and Vice President, or of  
6 a United States Senator or a Representative in the Congress  
7 of the United States, is not and shall not be deemed a  
8 qualification of voters or electors to vote or to register to  
9 vote at primaries or other elections for any of such officers.

10 SEC. 202. It shall be unlawful for any State, municipal-  
11 ity, or other government or governmental subdivision to  
12 levy a poll tax or any other tax on the right or privilege  
13 of voting, in any primary or other election, for the selection  
14 of any of the officers referred to in section 201; or to deny  
15 any person the right or privilege of voting or registering  
16 to vote in any such primary or other election on the ground  
17 that such person has not paid a poll tax.

18 SEC. 203. It shall be unlawful for any State, municipal-  
19 ity, or other government or governmental subdivision, or  
20 for any person, whether or not acting under cover of the  
21 law of any State or subdivision thereof, to impose upon any  
22 person a requirement that a poll tax be paid as a pre-  
23 requisite to the right or privilege of voting or registering  
24 to vote, in any primary or other election, for the selection  
25 of persons for national office.



## 1 TITLE III—PROTECTION FROM MOB VIOLENCE

## 2 AND LYNCHING

## 3 DEFINITIONS

4 SEC. 301. Any assemblage of two or more persons  
5 which shall, without authority of law, (a) commit or  
6 attempt to commit violence upon the person of any citizen  
7 or citizens of the United States because of his or their race,  
8 creed, color, national origin, ancestry, language, or religion,  
9 or (b) exercise or attempt to exercise, by physical violence  
10 against the person, any power or correction or punishment  
11 over any citizen or citizens of the United States or other  
12 person or persons in the custody of any peace officer or  
13 suspected of, charged with, or convicted of the commission  
14 of any criminal offense, with the purpose or consequence  
15 of preventing the apprehension or trial or punishment by  
16 law of such citizen or citizens, person or persons, or of  
17 imposing a punishment not authorized by law, shall con-  
18 stitute a lynch mob within the meaning of this title. Any  
19 such violence by a lynch mob shall constitute lynching  
20 within the meaning of this title.

## 21 PUNISHMENT FOR LYNCHING

22 SEC. 302. Any person whether or not a member of a  
23 lynch mob who willfully instigates, incites, organizes, aids,  
24 abets, or commits a lynching by any means whatsoever,

1 and any member of a lynch mob, shall be guilty of a felony  
2 and upon conviction thereof shall be punished by a fine not  
3 exceeding \$10,000 or by imprisonment not exceeding twenty  
4 years, or by both such fine and imprisonment.

5 **PUNISHMENT FOR FAILURE TO PREVENT LYNCHING**

6 **Sec. 303.** Whenever a lynching shall occur, any officer  
7 or employee of a State or any governmental subdivision  
8 thereof, who shall have been charged with the duty or shall  
9 have possessed the authority as such officer or employee  
10 to prevent the lynching, but shall have neglected, refused,  
11 or willfully failed to make all diligent efforts to prevent the  
12 lynching, and any officer or employee of a State or govern-  
13 mental subdivision thereof who shall have had custody of  
14 the person or persons lynched and shall have neglected, re-  
15 fused, or willfully failed to make all diligent efforts to pro-  
16 tect such person or persons from lynching, and any officer  
17 or employee of a State or governmental subdivision thereof  
18 who, in violation of his duty as such officer or employee,  
19 shall neglect, refuse, or willfully fail to make all diligent  
20 efforts to apprehend, keep in custody, or prosecute the mem-  
21 bers or any member of the lynching mob, shall be guilty of  
22 a felony and upon conviction thereof shall be punished by  
23 a fine not exceeding \$5,000 or by imprisonment not ex-  
24 ceeding five years, or by both such fine and imprisonment.

1001 DUTY OF ATTORNEY GENERAL OF THE UNITED STATES

2 SEC. 304. Whenever a lynching of any person or per-  
 3 sons shall occur, and information on oath is submitted to the  
 4 Attorney General of the United States that any officer or  
 5 employee of a State or any governmental subdivision thereof  
 6 who shall have been charged with the duty or shall have  
 7 possessed the authority as such officer or employee to pro-  
 8 tect such person or persons from lynching, or who shall have  
 9 had custody of the person or persons lynched, has neglected,  
 10 refused, or willfully failed to make all diligent efforts to  
 11 protect such person or persons from lynching or that any  
 12 officer or employee of a State or governmental subdivision  
 13 thereof, in violation of his duty as such officer or employee,  
 14 has neglected, refused, or willfully failed to make all diligent  
 15 efforts to apprehend, keep in custody, or prosecute the mem-  
 16 bers or any member of the lynching mob, the Attorney Gen-  
 17 eral of the United States shall cause an investigation to be  
 18 made to determine whether there has been any violation of  
 19 this title.  
 20 KIDNAPING PENALTIES MADE APPLICABLE  
 21 SEC. 305. The crime defined in and punishable under  
 22 section 1201 of title 18 of the United States Code shall  
 23 include the transportation in interstate or foreign commerce  
 24 of any person unlawfully abducted and held for purposes of  
 25 punishment, correction, or intimidation.



1 TITLE IV—EQUALITY OF OPPORTUNITY IN  
2 EMPLOYMENT

3 FINDINGS AND DECLARATION OF POLICY

4 SEC. 401. (a) The Congress hereby finds that, despite  
5 the continuing progress of our Nation, the practice of dis-  
6 criminating in employment against properly qualified per-  
7 sons because of their race, religion, color, national origin,  
8 or ancestry is contrary to the American principles of liberty  
9 and of equality of opportunity, is incompatible with the  
10 Constitution, forces large segments of our population into  
11 substandard conditions of living, foments industrial strife and  
12 domestic unrest, deprives the United States of the fullest  
13 utilization of its capacities for production, endangers the na-  
14 tional security and the general welfare, and adversely affects  
15 the domestic and foreign commerce of the United States.

16 (b) The right to employment without discrimination  
17 because of race, religion, color, national origin, or ancestry  
18 is hereby recognized as and declared to be a civil right of  
19 all the people of the United States.

20 (c) The Congress further declares that the succeeding  
21 provisions of this title are necessary for the following  
22 purposes:

23 (1) To remove obstructions to the free flow of  
24 commerce among the States and with foreign nations.

25 (2) To insure the more complete and full enjoy-



1 ment by all persons of the rights, privileges, and im-  
 2 munities secured and protected by the Constitution of  
 3 the United States.

4 (3) To advance toward fulfillment of the inter-  
 5 national treaty obligations imposed by the Charter of  
 6 the United Nations upon the United States as a signa-  
 7 tory thereof to promote "universal respect for, and  
 8 observance of, human rights and fundamental freedoms  
 9 for all without distinction as to race, sex, language, or  
 10 religion".

#### 11 DEFINITIONS

12 SEC. 402. As used in this title—

13 (a) The term "person" includes one or more indi-  
 14 viduals, partnerships, associations, corporations, legal repre-  
 15 sentatives, trustees, trustees in bankruptcy, receivers, or any  
 16 organized group of persons and any agency or instrumen-  
 17 tality of the United States, including the District of Colum-  
 18 bia, or of any Territory or possession thereof.

19 (b) The term "employer" means a person engaged in  
 20 commerce or in operations affecting commerce having in  
 21 his employ fifty or more individuals; any agency or instru-  
 22 mentality of the United States, including the District of  
 23 Columbia, or of any Territory or possession thereof; and  
 24 any person acting in the interest of an employer, directly  
 25 or indirectly; but shall not include any State or municipality

1 or political subdivision thereof, or any religious, charitable,  
 2 fraternal, social, educational, or sectarian corporation or  
 3 association, if no part of the net earnings inures to the benefit  
 4 of any private shareholder or individual, other than a labor  
 5 organization.

6 (c) The term "employment agency" means any person  
 7 undertaking with or without compensation to procure em-  
 8 ployees or opportunities to work for an employer; but shall  
 9 not include any State or municipality or political subdivision  
 10 thereof, or any religious, charitable, fraternal, social, educa-  
 11 tional, or sectarian corporation or association, if no part of  
 12 the net earnings inures to the benefit of any private share-  
 13 holder or individual.

14 (d) The term "labor organization" means any organiza-  
 15 tion, having fifty or more members employed by any em-  
 16 ployer or employers, which exists for the purpose, in whole  
 17 or in part, of collective bargaining or of dealing with em-  
 18 ployers concerning grievances, labor disputes, wages, rates  
 19 of pay, hours of employment, terms or conditions of  
 20 employment, or for other mutual aid or protection in con-  
 21 nection with employment.

22 (e) The term "commerce" means trade, traffic, com-  
 23 merce, transportation, or communication among the sev-  
 24 eral States; or between any State, Territory, possession,

1 or the District of Columbia and any place outside thereof;  
 2 or within the District of Columbia or any Territory or  
 3 possession; or between points in the same State, the Dis-  
 4 trict of Columbia or any Territory or possession but through  
 5 any point outside thereof.

6 (f) The term "affecting commerce" means in com-  
 7 merce, or burdening or obstructing commerce or the free  
 8 flow of commerce.

9 (g) The term "Commission" means the Equality of  
 10 Opportunity in Employment Commission, created by section  
 11 405.

12 **EXEMPTION**  
 13 SEC. 403. This title shall not apply to any employer  
 14 with respect to the employment of aliens outside the con-  
 15 tinental United States, its Territories and possessions.

16 **UNLAWFUL EMPLOYMENT PRACTICES DEFINED**

17 SEC. 404. (a) It shall be an unlawful employment  
 18 practice for an employer—

19 (1) to refuse to hire, to discharge, or otherwise to  
 20 discriminate against any individual with respect to his  
 21 compensation, terms, conditions, or privileges of employ-  
 22 ment, because of such individual's race, religion, color,  
 23 national origin, or ancestry.

24 (2) to utilize in the hiring or recruitment of in-  
 25 dividuals for employment any employment agency.

1 placement service, training school or center, labor organ-  
 2 ization, or any other source which discriminates against  
 3 such individuals because of their race, religion, color,  
 4 national origin, or ancestry.

5 (b) It shall be an unlawful employment practice for  
 6 an employment agency to fail or refuse to properly classify  
 7 or refer for employment, or otherwise to discriminate against  
 8 any individual because of his race, color, religion, national  
 9 origin or ancestry.

10 (c) It shall be an unlawful employment practice for a  
 11 labor organization—

12 (1) to exclude or to expel from its membership,  
 13 or otherwise to discriminate against, any individual or  
 14 any employer because of the race, color, religion, na-  
 15 tional origin or ancestry of any individual;

16 (2) to cause or attempt to force an employer to  
 17 discriminate against an individual in violation of this  
 18 section.

19 (d) It shall be an unlawful employment practice for  
 20 any employer, employment agency or labor organization to  
 21 discharge, expel, or otherwise discriminate against any per-  
 22 son, because he has opposed any unlawful employment prac-  
 23 tice or has filed a charge, testified, participated, or assisted  
 24 in any proceeding under this title.



## 1 THE EQUALITY OF OPPORTUNITY IN EMPLOYMENT 1

## 2 COMMISSION. 2

3 SEC. 405. (a) There is hereby created a Commission to  
 4 be known as the Equality of Opportunity in Employment  
 5 Commission, which shall be composed of seven members who  
 6 shall be appointed by the President by and with the advice  
 7 and consent of the Senate. One of the original members  
 8 shall be appointed for a term of one year, one for a term of  
 9 two years, one for a term of three years, one for a term of  
 10 four years, one for a term of five years, one for a term of  
 11 six years, and one for a term of seven years, but their suc-  
 12 cessors shall be appointed for terms of seven years each,  
 13 except that any individual chosen to fill a vacancy shall be  
 14 appointed only for the unexpired term of the member whom  
 15 he shall succeed. The President shall designate one member  
 16 to serve as Chairman of the Commission. Any member of  
 17 the Commission may be removed by the President upon  
 18 notice and hearing for neglect of duty or malfeasance in office,  
 19 but for no other cause. (b)

20 (b) A vacancy in the Commission shall not impair the  
 21 right of the remaining members to exercise all the powers  
 22 of the Commission and three members thereof shall constitute  
 23 a quorum.

24 (c) The Commission shall have an official seal which  
 25 shall be judicially noted.

(d) The Commission shall at the close of each fiscal year report to the Congress and to the President concerning the cases it has heard; the decisions it has rendered; the names, salaries, and duties of all individuals in its employ and the moneys it has disbursed; and shall make such further reports on the cause of and means of eliminating discrimination and such recommendations for further legislation as may appear desirable.

(e) Each member of the Commission shall receive a salary of \$15,000 a year.

(f) The principal office of the Commission shall be in the District of Columbia, but it may meet or exercise any or all of its powers at any other place and may establish such regional offices as it deems necessary. The Commission may, by one or more of its members or by such agents as it may designate, conduct any investigation, proceeding, or hearing necessary to its functions in any part of the United States. Any such agent, other than a member of the Commission, designated to conduct a proceeding or a hearing shall be a resident of the judicial circuit, as defined in title 28, United States Code, chapter 3, section 41, within which the alleged unlawful employment practice occurred.

(g) The Commission shall have power—

(1) to appoint, in accordance with the Civil Service

1. A. Act, rules, and regulations, such officers, agents, and  
 2 employees, as it deems necessary to assist it in the per-  
 3 formance of its functions, and to fix their compensation  
 4 in accordance with the Classification Act of 1949, as  
 5 amended; attorneys appointed under this section may, at  
 6 the direction of the Commission, appear for and repre-  
 7 sent the Commission in any case in court;

8 (2) to cooperate with and utilize regional, State,  
 9 local, and other agencies;

10 (3) to furnish to persons subject to this title such  
 11 technical assistance as they may request to further their  
 12 compliance with this title or any order issued thereunder;  
 13 (4) upon the request of any employer, whose em-  
 14 ployees or some of them refuse or threaten to refuse  
 15 to cooperate in effectuating the provisions of this title,  
 16 to assist in such effectuation by conciliation or other  
 17 remedial action;

18 (5) to make such technical studies as are appro-  
 19 priate to effectuate the purposes and policies of this  
 20 title and to make the results of such studies available to  
 21 interested governmental and nongovernmental agencies;

22 and

23 (6) to create such local, State, or regional advisory  
 24 and conciliation councils as in its judgment will aid in  
 25 effectuating the purpose of this title, and the Commis-

1. Commission may empower them to study the problem or  
 2. specific instances of discrimination in employment  
 3. because of race, religion, color, national origin, or an-  
 4. cestry and to foster through community effort or other-  
 5. wise good will, cooperation, and conciliation among  
 6. the groups and elements of the population, and make  
 7. recommendations to the Commission for the development  
 8. of policies and procedures in general and in specific in-  
 9. stances. Such advisory and conciliation councils shall be  
 10. composed of representative citizens resident of the area  
 11. for which they are appointed, who shall serve without  
 12. compensation, but shall receive transportation and per  
 13. diem in lieu of subsistence as authorized by section 5 of  
 14. the Act of August 2, 1946 (5 U. S. C. 73b-2), for per-  
 15. sons serving without compensation; and the Commis-  
 16. sion may make provision for technical and clerical assist-  
 17. ance to such councils and for the expenses of such  
 18. assistance; the Commission may, to the extent it deems  
 19. it necessary, provide by regulation for exemption of such  
 20. persons from the operation of title 18 United States  
 21. Code, sections 281, 283, 284, 434, and 1914, and sec-  
 22. tion 190 of the Revised Statutes (5 U. S. C. 99); such  
 23. regulation may be issued without prior notice and  
 24. hearing.



1 PREVENTION OF UNLAWFUL EMPLOYMENT PRACTICES

2 SEC. 406. (a) The Commission is empowered, as here-  
 3 inafter provided, to prevent any person from engaging in  
 4 any unlawful employment practice as set forth in section  
 5 404. This power shall be exclusive, and shall not be affected  
 6 by any other means of adjustment or prevention that has  
 7 been or may be established by agreement, code, law, or  
 8 otherwise: *Provided*, That an agreement between or among  
 9 an employer or employers and a labor organization or  
 10 labor organizations pertaining to discrimination in employ-  
 11 ment shall be enforceable in accordance with applicable  
 12 law, but nothing contained therein shall be construed or  
 13 permitted to foreclose the jurisdiction over any practice or  
 14 occurrence granted the Commission by this title: *Provided*  
 15 further, That the Commission is empowered by agreement  
 16 with any agency of any State, Territory, possession, or local  
 17 government, to cede, upon such terms and conditions as  
 18 may be agreed, to such agency jurisdiction over any cases  
 19 or class of cases, if such agency, in the judgment of the  
 20 Commission, has effective power to eliminate and prohibit  
 21 discrimination in employment in such cases. 12  
 22 (b) Whenever a sworn written charge has been filed  
 23 by or on behalf of any person claiming to be aggrieved,  
 24 or a written charge has been filed by a member of the  
 25 Commission, that any person subject to this title has en-

1 gaged in any unlawful employment practice, the Commission  
2 shall investigate such charge and if it shall determine  
3 after such preliminary investigation that probable cause  
4 exists for crediting such written charge, it shall endeavor  
5 to eliminate any unlawful employment practice by informal  
6 methods of conference, conciliation, and persuasion.

7 (c) If the Commission fails to effect the elimination of  
8 such unlawful practice and to obtain voluntary compliance  
9 with this title or in advance thereof if circumstances warrant,  
10 the Commission shall have power to issue and cause to be  
11 served upon any person charged with the commission of an  
12 unlawful employment practice (hereinafter called the "re-  
13 spondent") a complaint stating the charges in that respect,  
14 together with a notice of hearing before the Commis-  
15 sion, or a member thereof, or before a designated agent,  
16 at a place therein fixed, not less than ten days after the  
17 service of such complaint. No complaint shall issue based  
18 upon any unlawful employment practice occurring more than  
19 one year prior to the filing of the charge with the Commission  
20 and the service of a copy thereof upon the respondent, unless  
21 the person aggrieved thereby was prevented from filing such  
22 charge by reason of service in the Armed Forces, in which  
23 event the period of military service shall not be included in  
24 computing the one-year period.

25 (d) The respondent shall have the right to file a veri-

1 filed answer to such complaint and to appear at such hearing  
 2 in person or otherwise, with or without counsel, to present  
 3 evidence and to examine and cross-examine witnesses.

4 (e) The Commission or the member or designated agent  
 5 conducting such hearing shall have the power reasonably  
 6 and fairly to amend any complaint, and the respondent shall  
 7 have like power to amend its answer.

8 (f) All testimony shall be taken under oath.

9 (g) The member of the Commission who filed a charge  
 10 shall not participate in a hearing thereon or in a trial thereof.

11 (h) At the conclusion of a hearing before a member or  
 12 designated agent of the Commission, such member or agent  
 13 shall transfer the entire record thereof to the Commission,  
 14 together with his recommended decision and copies thereof  
 15 shall be served upon the parties. The Commission, or a  
 16 panel of three qualified members designated by it to sit  
 17 and act as the Commission in such case, shall afford the  
 18 parties an opportunity to be heard on such record at a time  
 19 and place to be specified upon reasonable notice. In its dis-  
 20 cretion, the Commission upon notice may take further  
 21 testimony.

22 (i) With the approval of the member or designated  
 23 agent conducting the hearing, a case may be ended at any  
 24 time prior to the transfer of the record thereof to the Com-  
 25 mission by agreement between the parties for the elimination



1 of the alleged unlawful employment practice on mutually  
2 satisfactory terms.

3 (j) If, upon the preponderance of the evidence, in-  
4 cluding all the testimony taken, the Commission shall find  
5 that the respondent engaged in any unlawful employment  
6 practice, the Commission shall state its findings of fact and  
7 shall issue and cause to be served on such person and other  
8 parties an order requiring such person to cease and desist  
9 from such unlawful employment practice and to take such  
10 affirmative action, including reinstatement or hiring of em-  
11 ployees, with or without back pay (payable by the em-  
12 ployer, employment agency, or labor organization, as the  
13 case may be, responsible for the discrimination), as will  
14 effectuate the policies of this title: *Provided*, That interim  
15 earnings or amounts earnable with reasonable diligence by  
16 the person or persons discriminated against shall operate  
17 to reduce the back pay otherwise allowable. Such order  
18 may further require such respondent to make reports from  
19 time to time showing the extent to which it has complied  
20 with the order. If the Commission shall find that the  
21 respondent has not engaged in any unlawful employment  
22 practice, the Commission shall state its findings of fact and  
23 shall issue and cause to be served on such person and other  
24 parties an order dismissing the complaint.

25 (k) Until a transcript of the record in a case shall have



1 been filed in a court, as hereinafter provided, the case may  
 2 at any time be ended by agreement between the parties,  
 3 approved by the Commission, for the elimination of the  
 4 alleged unlawful employment practice on mutually satis-  
 5 factory terms, and the Commission may at any time, upon  
 6 reasonable notice and in such manner as it shall deem proper,  
 7 modify or set aside, in whole or in part, any finding or order  
 8 made or issued by it.

9 (1) The proceedings held pursuant to this section shall  
 10 be conducted in conformity with the standards and limita-  
 11 tions of sections 5, 6, 7, 8, and 11 of the Administrative  
 12 Procedure Act.

13 JUDICIAL REVIEW  
 14 SEC. 407. (a) The Commission shall have power to  
 15 petition any United States court of appeals or, if the  
 16 court of appeals to which application might be made is  
 17 in vacation, any district court within any circuit or district,  
 18 respectively, wherein the unlawful employment practice in  
 19 question occurred, or wherein the respondent resides or trans-  
 20 acts business, for the enforcement of such order and for  
 21 appropriate temporary relief or restraining order, and shall  
 22 certify and file in the court to which petition is made a  
 23 transcript of the entire record in the proceeding, including  
 24 the pleadings and testimony upon which such order was  
 25 entered and the findings and the order of the Commission.

1 Upon such filing, the court shall conduct further proceedings  
 2 in conformity with the standards, procedures, and limitations  
 3 established by section 10 of the Administrative Procedure  
 4 Act.

5 (b) Upon such filing the court shall cause notice  
 6 thereof to be served upon such respondent and thereupon  
 7 shall have jurisdiction of the proceeding and of the ques-  
 8 tion determined therein and shall have power to grant such  
 9 temporary relief or restraining order as it deems just and  
 10 proper and to make and enter upon the pleadings, testi-  
 11 mony, and proceedings set forth in such transcript a decretal  
 12 enforcing, modifying, and enforcing as so modified, or setting  
 13 aside in whole or in part the order of the Commission.

14 (c) No objection that has not been urged before the  
 15 Commission, its member, or agent shall be considered by  
 16 the court, unless the failure or neglect to urge such objection  
 17 shall be excused because of extraordinary circumstances.

18 (d) The findings of the Commission with respect to  
 19 questions of fact if supported by substantial evidence on the  
 20 record considered as a whole shall be conclusive.

21 (e) If either party shall apply to the court for leave  
 22 to adduce additional evidence and shall show to the satis-  
 23 faction of the court that such additional evidence is material  
 24 and that there were reasonable grounds for the failure to  
 25 adduce such evidence in the hearing before the Commission,

1 its member, or agent, the court may order such additional  
2 evidence to be taken before the Commission, its member, or  
3 agent and to be made a part of the transcript.

4 (f) The Commission may modify its findings as to the  
5 facts, or make new findings, by reason of additional evidence  
6 so taken and filed, and it shall file such modified or new  
7 findings, which findings with respect to questions of fact if  
8 supported by substantial evidence on the record considered  
9 as a whole shall be conclusive, and its recommendations, if  
10 any, for the modification or setting aside of its original order.

11 (g) The jurisdiction of the court shall be exclusive and  
12 its judgment and decree shall be final, except that the same  
13 shall be subject to review by the appropriate United States  
14 court of appeals, if application was made to the district court  
15 or other United States court as hereinabove provided, and  
16 by the Supreme Court of the United States as provided in  
17 title 28, United States Code, section 1254.

18 (h) Any person aggrieved by a final order of the Com-  
19 mission may obtain a review of such order in any United  
20 States court of appeals of the judicial circuit wherein the  
21 unlawful employment practice in question was alleged to  
22 have been engaged in or wherein such person resides or  
23 transacts business or the Court of Appeals for the District of  
24 Columbia, by filing in such court a written petition praying  
25 that the order of the Commission be modified or set aside.

1 A copy of such petition shall be forthwith served upon the  
 2 Commission and thereupon the aggrieved party shall file in  
 3 the court a transcript of the entire record in the proceeding  
 4 certified by the Commission, including the pleadings and  
 5 testimony upon which the order complained of was entered  
 6 and the findings and order of the Commission. Upon such  
 7 filing, the court shall proceed in the same manner as in  
 8 the case of an application by the Commission under subsec-  
 9 tions (a), (b), (c), (d), (e), and (f), and shall have the  
 10 same exclusive jurisdiction to grant to the Commission such  
 11 temporary relief or restraining order as it deems just and  
 12 proper, and in like manner to make and enter a decree en-  
 13 forcing, modifying, and enforcing as so modified, or setting  
 14 aside in whole or in part the order of the Commission.  
 15 (i) Upon such filing by a person aggrieved the review-  
 16 ing court shall conduct further proceedings in conformity  
 17 with the standards, procedures, and limitations established  
 18 by section 10 of the Administrative Procedure Act.  
 19 (j) The commencement of proceedings under this sec-  
 20 tion shall not, unless specifically ordered by the court, oper-  
 21 ate as a stay of the Commission's order.  
 22 (k) When granting appropriate temporary relief or a  
 23 restraining order, or making and entering a decree enforcing,  
 24 modifying, and enforcing as so modified, or setting aside  
 25 in whole or in part an order of the Commission, as provided



1 in this section, the jurisdiction of courts sitting in equity  
 2 shall not be limited by the Act entitled "An Act to amend  
 3 the Judicial Code and to define and limit the jurisdiction of  
 4 courts sitting in equity, and for other purposes", approved  
 5 March 23, 1932 (U. S. C., title 29, secs. 101-115).

6 (1) Petitions filed under this title shall be heard ex-  
 7 peditiously.

#### 8 INVESTIGATORY POWERS

9 Sec. 408. (a) For the purpose of all investigations, pro-  
 10 ceedings, or hearings which the Commission deems necessary  
 11 or proper for the exercise of the powers vested in it by this  
 12 title, the Commission, or any member thereof, shall have  
 13 power to issue subpoenas requiring the attendance and testi-  
 14 mony of witnesses and the production of any evidence relat-  
 15 ing to any investigation, proceeding, or hearing before the  
 16 Commission, its member, or agent conducting such investi-  
 17 gation, proceeding, or hearing.

18 (b) Such attendance of witnesses and the production  
 19 of such evidence may be required, from any place in the  
 20 United States, including the District of Columbia, or any  
 21 Territory or possession thereof, at any designated place of  
 22 hearing.

23 (c) In case of contumacy or refusal to obey a subpoena  
 24 issued to any person under this title, any district court within  
 25 the jurisdiction of which the investigation, proceeding, or

1 hearing is carried on or within the jurisdiction of which said  
2 person guilty of contumacy or refusal to obey is found or  
3 resides or transacts business, upon application by the Com-  
4 mission shall have jurisdiction to issue to such person an  
5 order requiring him to appear before the Commission, its  
6 member, or agent, there to produce evidence if so ordered,  
7 or there to give testimony relating to the investigation, pro-  
8 ceeding, or hearing.

9 (d) No person shall be excused from attending and  
10 testifying or from producing documentary or other evidence  
11 in obedience to the subpoena of the Commission, on the  
12 ground that the testimony or evidence required of him may  
13 tend to incriminate him or subject him to a penalty or for-  
14 feiture; but no individual shall be prosecuted or subjected to  
15 any penalty or forfeiture for or on account of any transaction,  
16 matter, or thing concerning which he is compelled, after hav-  
17 ing claimed his privilege against self-incrimination, to testify  
18 or produce evidence, except that such individual so testifying  
19 shall not be exempt from prosecution and punishment for  
20 perjury committed in so testifying. The immunity herein  
21 provided shall extend only to natural persons so compelled  
22 to testify.

23 (e) Any member of the Commission, or any agent  
24 designated by the Commission for such purposes, may ad-  
25 minister oaths, examine witnesses, and receive evidence.

1 (f) Complaints, orders, and other process and papers  
2 of the Commission, its member, agent, or agency, may be  
3 served either personally or by registered mail or by tele-  
4 graph or by leaving a copy thereof at the principal office  
5 or place of business of the person required to be served.  
6 The verified return by the individual so serving the same  
7 setting forth the manner of such service shall be proof of  
8 the same, and the return post-office receipt or telegraph  
9 receipt therefor when registered and mailed or telegraphed  
10 as aforesaid shall be proof of service of the same. Witnesses  
11 summoned before the Commission, its member, agent, or  
12 agency, shall be paid the same fees and mileage that are  
13 paid witnesses in the courts of the United States, and wit-  
14 nesses whose depositions are taken and the persons taking  
15 the same shall severally be entitled to the same fees as are  
16 paid for like services in the courts of the United States.  
17 (g) All process of any court to which application may  
18 be made under this title may be served in the judicial district  
19 wherein the defendant or other person required to be served  
20 resides or may be found.  
21 (h) The several departments and agencies of the Gov-  
22 ernment, when directed by the President, shall furnish the  
23 Commission, upon its request, all records, papers, and in-  
24 formation in their possession relating to any matter before  
25 the Commission.

## 1 ENFORCEMENT OF ORDERS DIRECTED TO GOVERNMENT

## 2 AGENCIES AND CONTRACTORS

3       SEC. 409. (a) The President is authorized to take  
4 such action as may be necessary (1) to conform fair em-  
5 ployment practices within the Federal establishment with  
6 the policies of this title, and (2) to provide that any Federal  
7 employee aggrieved by any employment practice of his em-  
8 ployer must exhaust the administrative remedies prescribed  
9 by Executive order or regulations governing fair employ-  
10 ment practices within the Federal establishment prior to  
11 seeking relief under the provisions of this title. The pro-  
12 vision of section 407 shall not apply with respect to an order  
13 of the Commission under section 406 directed to any agency  
14 or instrumentality of the United States, or of any Territory  
15 or possession thereof, or of the District of Columbia, or any  
16 officer or employee thereof. The Commission may request  
17 the President to take such action as he deems appropriate  
18 to obtain compliance with such orders.

19 (b) The President shall have power to provide for the  
20 establishment of rules and regulations to prevent the com-  
21 mitting or continuing of any unlawful employment practice  
22 as herein defined by any person who makes a contract with  
23 any agency or instrumentality of the United States (exclud-  
24 ing any State or political subdivision thereof) or of any  
25 Territory or possession of the United States, which contract



1 requires the employment of at least fifty individuals. Such  
 2 rules and regulations shall be enforced by the Commission  
 3 according to the procedure hereinbefore provided.

4 ~~will violate of~~ NOTICES TO BE POSTED ~~information~~  
 5 SEC. 410. (a) Every employer, employment agency,  
 6 and labor organization, as the case may be, shall post and  
 7 keep posted in conspicuous places upon its premises where  
 8 notices to employees, applicants for employment, and mem-  
 9 bers are customarily posted, a notice to be prepared or  
 10 approved by the Commission setting forth excerpts of this  
 11 title and such other relevant information which the Com-  
 12 mission deems appropriate to effectuate the purposes of this  
 13 title.

14 (b) A willful violation of this section shall be punish-  
 15 able by a fine of not less than \$100 or more than \$500 for  
 16 each separate offense.

17 ~~inquiries under~~ VETERANS' PREFERENCE ~~advisory~~

18 SEC. 411. Nothing contained in this title shall be con-  
 19 strued to repeal or modify any Federal, State, Territorial,  
 20 or local law creating special rights or preference for veterans.

21 ~~any regulations~~ RULES AND REGULATIONS ~~to regulate~~

22 SEC. 412. (a) The Commission shall have authority  
 23 from time to time to issue, amend, or rescind suitable regu-  
 24 lations to carry out the provisions of this title. Regulations  
 25 issued under this section shall be in conformity with the

1 standards and limitations of the Administrative Procedure  
2 Act.

3 (h) If at any time after the issuance of any such  
4 regulation or any amendment or rescission thereof, there  
5 is passed a concurrent resolution of the two Houses of the  
6 Congress stating in substance that the Congress disapproves  
7 such regulation, amendment, or rescission, such disapproved  
8 regulation, amendment, or rescission shall not be effective  
9 after the date of the passage of such concurrent resolution.

10 **FORCIBLY RESISTING THE COMMISSION OR ITS**

11 **REPRESENTATIVES**

12 **SEC. 413.** The provisions of section 11, title 18, United  
13 States Code, shall apply to officers, agents, and employees  
14 of the Commission in the performance of their official duties.

15 **EFFECTIVE DATE**

16 **SEC. 414.** This title shall become effective sixty days  
17 after enactment, except that subsections 406 (c) to (l), in-  
18 clusive, and section 407 shall become effective six months  
19 after enactment.

84TH CONGRESS  
1st Session

**H. R. 5503**

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**A BILL**

To promote further respect for and observance  
of civil rights within the United States.

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By Mr. ANFUSO

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APRIL 13, 1965  
Referred to the Committee on the Judiciary

✓ADMINISTRATIVE FILE  
Civil Rights  
Legislation - H.R. 9619  
X

84TH CONGRESS  
2d Session

**H. R. 9619**

**IN THE HOUSE OF REPRESENTATIVES**

February 28, 1956

Mr. ROBERTS introduced the following bill; which was referred to the Committee on the Judiciary

**A BILL**

To protect the civil rights of individuals by establishing a Commission on Civil Rights in the executive branch of the Government, a Civil Rights Division in the Department of Justice, and a Joint Congressional Committee on Civil Rights, to strengthen the criminal laws protecting the civil rights of individuals, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,  
That this Act may be cited as the "Civil Rights Act 1956".

**TITLE I—COMMISSION ON CIVIL RIGHTS**

SEC. 101. The Congress finds that the freedoms guaranteed by the Constitution of the United States have contributed, in large measure, to the rapid growth, productivity, and general well-being of the Nation; and that, despite the continuing progress in the Nation with respect to the protection of the rights of individuals, the civil rights of some persons are being denied, bridged, or threatened. The Congress recognizes that the national security and general welfare of the Nation require the protection of the civil rights of individuals.



ADMINISTRATIVE FILE  
Adopted 11/11/62  
11284H-0011/62

1 and ingenuity which characterize our Nation; and that,  
2 despite the continuing progress of our Nation with respect  
3 to the protection of the rights of individuals, the civil rights  
4 of some persons within the jurisdiction of the United States  
5 are being denied, abridged, or threatened. The Congress  
6 recognizes that the national security and general welfare of  
7 the United States calls for more adequate protection of the  
8 civil rights of individuals; and that the executive and legis-  
9 lative branches of our Government must be accurately and  
10 continuously informed concerning the extent to which funda-  
11 mental constitutional rights are abridged or denied.

12 SEC. 102. There is created in the executive branch of the  
13 Government a Commission on Civil Rights (hereinafter  
14 called the "Commission"). The Commission shall be com-  
15 posed of five members who shall be appointed by the Presi-  
16 dent, by and with the advice and consent of the Senate,  
17 and of whom not more than three shall be members of the  
18 same political party. The President shall designate one of  
19 the members of the Commission as Chairman and one as  
20 Vice Chairman. The Vice Chairman shall act as Chairman  
21 in the absence or disability of the Chairman, or in the event  
22 of a vacancy in the office. Any vacancy in the Commission  
23 shall not affect its powers and shall be filled in the same  
24 manner in which the original appointment was made. Three  
25 members of the Commission shall constitute a quorum. Each

1 member of the Commission shall receive the sum of \$50  
2 per day for each day spent in the work of the Commission,  
3 together with actual and necessary traveling and subsistence  
4 expenses incurred while engaged in the work of the Com-  
5 mission (or, in lieu of subsistence, a per diem allowance  
6 at a rate not in excess of \$10).

7 Sec. 103. (a) It shall be the duty and function of the  
8 Commission to gather timely and authoritative information  
9 concerning developments affecting the civil rights of individ-  
10 uals under the Constitution and laws of the United States;  
11 to appraise the policies, practices, and enforcement program  
12 of the Federal Government with respect to civil rights; to  
13 appraise the activities of the Federal, State, and local govern-  
14 ments, and the activities of private individuals and groups,  
15 with a view to determining what activities adversely affect  
16 civil rights; to assist States, counties, municipalities, and  
17 private agencies in conducting studies to protect civil rights  
18 of all Americans without regard to race, color, creed, or  
19 national origin; and to recommend to the Congress legislation  
20 necessary to safeguard and protect the civil rights of all  
21 Americans.

22 (b) The Commission shall make an annual report to the  
23 President and to the Congress on its findings and recom-  
24 mendations, and it may in addition from time to time, as it  
25 deems appropriate or at the request of the President, advise

1 the President of its findings and recommendations with  
 2 respect to any civil-rights matter.

3 SEC. 104. (a) The Commission may constitute such ad-  
 4 visory committees and may consult with such representa-  
 5 tives of State and local governments, and private organi-  
 6 zations, as it deems advisable. The Commission shall, to the  
 7 fullest extent possible, utilize the services, facilities, and in-  
 8 formation of other Government agencies, as well as private  
 9 research agencies, in the performance of its functions. All  
 10 Federal agencies are directed to cooperate fully with the  
 11 Commission to the end that it may effectively carry out its  
 12 functions and duties.

13 (b) Within the limitations of its appropriations, the  
 14 Commission is authorized to appoint a full-time staff director  
 15 and such other personnel, to procure such printing and bind-  
 16 ing, and to make such expenditures as, in its discretion, it  
 17 deems necessary and advisable.

18 (c) The Commission shall have authority to accept and  
 19 utilize services of voluntary and uncompensated personnel  
 20 and to pay any such personnel actual and necessary travel-  
 21 ing and subsistence expenses incurred while engaged in the  
 22 work of the Commission (or, in lieu of subsistence, a per  
 23 diem allowance at a rate not in excess of \$10).



1 SEC. 105. (a) The Commission shall have power to  
2 issue subpoenas requiring the attendance and testimony of  
3 witnesses and the production of any evidence that relates to  
4 any matter under study or investigation. Any member of  
5 the Commission may administer oaths and affirmations, ex-  
6 amine witnesses, and receive evidence. Such attendance of  
7 witnesses and the production of such evidence may be re-  
8 quired from any place in the United States or any Territory  
9 or possession thereof, at any designated place of hearing.

10 (b) In case of contumacy or refusal to obey a subpoena  
11 issued to any person, any district court of the United States  
12 or the United States court of any Territory or possession, or  
13 the District Court of the United States for the District of  
14 Columbia, within the jurisdiction of which the inquiry is  
15 carried on or within the jurisdiction of which such person  
16 guilty of contumacy or refusal to obey is found or resides or  
17 transacts business, upon application by the Commission shall  
18 have jurisdiction to issue to such person an order requiring  
19 such person to appear before the Commission, there to pro-  
20 duce evidence if so ordered, or there to give testimony  
21 touching the matter under investigation; and any failure to  
22 obey such order of the court may be punished by such court  
23 as a contempt thereof.

23 to be composed of seven Members  
24 appointed by the President of the Senate, and seven Members  
25 of the House of Representatives, to be appointed by the



1 TITLE II—CIVIL RIGHTS DIVISION OF THE  
2 DEPARTMENT OF JUSTICE

3 SEC. 201. There shall be in the Department of Justice  
4 an additional Assistant Attorney General, learned in the law,  
5 who shall be appointed by the President, by and with the  
6 advice and consent of the Senate, and shall, under the  
7 direction of the Attorney General, be in charge of a Civil  
8 Rights Division of the Department of Justice concerned with  
9 all matters pertaining to the preservation and enforcement of  
10 civil rights secured by the Constitution and laws of the  
11 United States.

12 SEC. 202. The personnel of the Federal Bureau of In-  
13 vestigation of the Department of Justice shall be increased  
14 to the extent necessary to carry out effectively the duties of  
15 such Bureau with respect to the investigation of civil-rights  
16 cases under applicable Federal law. Such Bureau shall in-  
17 clude in the training of its agents appropriate training and  
18 instructions, to be approved by the Attorney General, in  
19 the investigation of civil-rights cases.

20 TITLE III—JOINT COMMITTEE ON CIVIL RIGHTS

21 SEC. 301. There is established a Joint Committee on  
22 Civil Rights (hereinafter called the "joint committee"),  
23 to be composed of seven Members of the Senate, to be  
24 appointed by the President of the Senate, and seven Members  
25 of the House of Representatives, to be appointed by the

1 Speaker of the House of Representatives. The party repre-  
 2 sentation on the joint committee shall as nearly as may be  
 3 feasible reflect the relative membership of the majority and  
 4 minority parties in the Senate and House of Representatives.

5 SEC. 302. It shall be the function of the joint committee  
 6 to make a continuing study of matters relating to civil rights,  
 7 including the rights, privileges, and immunities secured and  
 8 protected by the Constitution and laws of the United States;  
 9 to study means of improving respect for and enforcement  
 10 of civil rights; and to advise and consult with the several  
 11 committees of the Congress dealing with legislation relating  
 12 to civil rights.

13 SEC. 303. Vacancies in the membership of the joint  
 14 committee shall not affect the power of the remaining mem-  
 15 bers to execute the functions of the joint committee and shall  
 16 be filled in the same manner as in the case of the original  
 17 selection. The joint committee shall select a chairman and  
 18 a vice chairman from among its members.

19 SEC. 304. The joint committee, or any duly authorized  
 20 subcommittee thereof, is authorized to hold such hearings,  
 21 to sit and act at such places and times, to require, by sub-  
 22 pena or otherwise, the attendance of such witnesses and the  
 23 production of such books, papers, and documents, to admin-  
 24 ister such oaths, and to take such testimony, as it deems  
 25 advisable. The provisions of sections 102 to 104, inclusive,

of the Revised Statutes, as amended (2 U. S. C., secs. 192,  
 193, 194), shall apply in case of any failure of any witness  
 to comply with a subpoena or to testify when summoned  
 under authority of this section. Within the limitations of its  
 appropriations, the joint committee is empowered to appoint  
 and fix the compensation of such experts, consultants, tech-  
 nicians, and clerical and stenographic assistance, to procure  
 such printing and binding, and to make such expenditures as,  
 in its discretion, it deems necessary and advisable. The cost  
 of stenographic services to report hearings of the joint  
 committee, or any subcommittee thereof, shall not exceed  
 40 cents per hundred words.  
 Funds appropriated to the joint committee  
 shall be disbursed by the Secretary of the Senate on vouchers  
 signed by the chairman and vice chairman, or by the  
 joint committee, or by any subcommittee thereof, or by any  
 advisory committee and may consult with such representa-  
 tives of State and local governments and private organiza-  
 tions as it deems advisable.

**TITLE IV—CRIMINAL LAWS PROTECTING CON-  
 STITUTIONAL RIGHTS, PRIVILEGES, AND  
 IMMUNITIES**

**SEC. 461. Section 241 of title 18 of the United States  
 Code is amended to read as follows:**



1 "§ 241. Conspiracy against or deprivation of rights of citi-  
2 zens

3 "(a) If two or more persons conspire to injure, oppress,  
4 threaten, or intimidate any inhabitant of any State, Terri-  
5 tory, or District in the free exercise or enjoyment of any  
6 right or privilege secured to him by the Constitution or laws  
7 of the United States, or because of his having so exercised the  
8 same; or

9 "If two or more persons go in disguise on the highway,  
10 or on the premises of another, with intent to prevent or  
11 hinder his free exercise or enjoyment of any right or privi-  
12 lege so secured—

13 "They shall be fined not more than \$5,000 or imprisoned  
14 not more than ten years, or both.

15 "(b) If any person injures, oppresses, threatens, or in-  
16 timidates any inhabitant of any State, Territory, or District  
17 in the free exercise or enjoyment of any right or privilege  
18 secured to him by the Constitution or laws of the United  
19 States, or because of his having so exercised the same; or

20 "If any person goes in disguise on the highway, or on  
21 the premises of another, with intent to prevent or hinder his  
22 free exercise or enjoyment of any right or privilege so  
23 secured—



1 "Such person shall be fined not more than \$1,000 or  
 2 imprisoned not more than one year, or both; or shall be fined  
 3 not more than \$10,000 or imprisoned not more than twenty  
 4 years, or both, if the injury or other wrongful conduct herein  
 5 described shall cause the death or maiming of the person so  
 6 injured or wronged.

7 "(c) Any person or persons violating the provisions of  
 8 subsection (a) or (b) of this section shall be subject to suit  
 9 by the party injured, or by his estate, in an action at law,  
 10 suit in equity, or other proper proceeding for damages or  
 11 preventive or declaratory or other relief. The district courts,  
 12 concurrently with State and Territorial courts, shall have  
 13 jurisdiction of all proceedings under this subsection without  
 14 regard to the sum or value of the matter in controversy.  
 15 The term 'district courts' includes any district court of the  
 16 United States as constituted by chapter 5 of title 28 of the  
 17 United States Code (28 U. S. C., sec. 81 et seq.), and the  
 18 United States court of any Territory or other place subject  
 19 to the jurisdiction of the United States."

20 Sec. 402. Section 242 of title 18 of the United States  
 21 Code is amended to read as follows:

22 "§ 242. Deprivation of rights under color of law  
 23 "Whoever, under color of any law, statute, ordinance,  
 24 regulation, or custom, willfully subjects, or causes to be sub-  
 25 jected, any inhabitant of any State, Territory, or District

to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution and laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color or race, than are prescribed for the punishment of citizens, shall be fined not more than \$1,000 or imprisoned not more than one year, or both; or shall be fined not more than \$10,000 or imprisoned not more than twenty years, or both, if the deprivation, different punishment, or other wrongful conduct herein described shall cause the death or maiming of the person so injured or wronged."

Sec. 403. Chapter 13 of title 18 of the United States Code is amended by adding after section 242 the following new section:

§ 242A. Enumeration of rights, privileges, and immunities

"The rights, privileges, and immunities referred to in section 242 shall be deemed to include, but shall not be limited to, the following:

"(1) The right to be immune from exactions of fines, or deprivations of property, without due process of law.

"(2) The right to be immune from punishment for crime or alleged criminal offenses except after a fair trial and upon conviction and sentence pursuant to due process of law.

"(3) the right to be immune from physical violence

1 applied to exact testimony or to compel confession of crime  
2 or alleged offenses.

3 " (4) The right to be free of illegal restraint of the  
4 person.

5 " (5) The right to protection of person and property  
6 without discrimination by reason of race, color, religion, or  
7 national origin.

8 " (6) The right to vote as protected by Federal law."

9 SEC. 404. The analysis of chapter 13 of title 18 of the  
10 United States Code, immediately preceding section 241  
11 thereof, is amended (1) by striking out "241. Conspiracy against  
12 rights of citizens" and inserting in lieu thereof "241. Conspiracy  
13 against and deprivation of rights of citizens.", and (2) by  
14 inserting immediately after and below item, numbered 242  
15 the following new item:

16 "242A. Enumeration of rights, privileges, and immunities."

17 TITLE V—LAWS PROTECTING RIGHT TO POLITI-  
18 CAL PARTICIPATION

19 SEC. 501. Section 594 of title 18 of the United States  
20 Code is amended to read as follows:

21 "§ 594. Intimidation of voters

22 "Whoever intimidates, threatens, coerces, or unjustly  
23 discriminates against, or attempts to intimidate, threaten,  
24 coerce, or unjustly discriminate against, any other person  
for the purpose of interfering with the right of such other



1 person to qualify to vote, to vote, or to vote as he may choose,  
2 or of causing such other persons to vote for, or not to vote for,  
3 any candidate for the office of President, Vice President,  
4 Presidential elector, Member of the Senate, or Member of  
5 the House of Representatives or Delegate or Commissioner  
6 from a Territory or possession, at any general, special, or  
7 primary election held solely or in part for the purpose of  
8 selecting or electing such candidate, shall be fined not more  
9 than \$1,000 or imprisoned not more than one year, or both."

10 SEC. 502. Section 2004 of the Revised Statutes (42  
11 U. S. C., sec. 1971) is amended to read as follows: ni II

12 "SEC. 2004. All citizens of the United States who are  
13 otherwise eligible by law shall be entitled to and allowed the  
14 same and equal opportunity to qualify to vote and to vote at  
15 any general, special, or primary election by the people con-  
16 ducted in or by any State, Territory, district, county, city,  
17 parish, township, school district, municipality, or other ter-  
18 ritorial subdivision, without distinction, direct or indirect,  
19 based on race, color, religion, or national origin, any con-  
20 stitution, law, custom, usage, or regulation of any State or  
21 Territory, or by or under its authority, to the contrary  
22 notwithstanding. The right to qualify to vote and to vote,  
23 as set forth herein, shall be deemed a right within the  
24 meaning of, and protected by, the provisions of section 2429,  
25 title 18 of the United States Code, section 1979 of the



1 Revised Statutes (42 U. S. C., sec. 1953), and other  
 2 applicable provisions of law." by radio transmission to  
 3 Sec. 593. In addition to the criminal penalties provided,  
 4 any person or persons violating the provisions of section 594  
 5 of title 18 of the United States Code shall be subject to suit  
 6 by the party injured, or by his estate, in an action at law, suit  
 7 in equity, or other proper proceeding for damages or pre-  
 8 ventive or declaratory or other relief. The provisions of  
 9 such section and of section 2004 of the Revised Statutes  
 10 shall also be enforceable by the Attorney General in suits  
 11 in the district courts for preventive or declaratory or other  
 12 relief. The district courts, concurrently with State and Terri-  
 13 torial courts, shall have jurisdiction of proceedings under  
 14 this section without regard to the sum or value of the mat-  
 15 ter in controversy. The term "district courts" includes any  
 16 district court of the United States as constituted by chapter  
 17 5 of title 28 of the United States Code (28 U. S. C., sec.  
 18 81 et seq.), and the United States court of any Territory or  
 19 other place subject to the jurisdiction of the United States.

20 **TITLE VI—MISCELLANEOUS PROVISIONS**

21 **Sec. 601.** On the first day, or within one week there-  
 22 after, of the first regular session of the Eighty-fifth Congress  
 23 and of each Congress thereafter, the President shall transmit  
 24 to the Congress a report on the denial of the right to vote  
 25 in the United States, so that the Congress may be fully

1 informed with respect to the exercise of its functions under  
 2 section 2 of the fourteenth amendment to the Constitution  
 3 and under section 22 of the Revised Statutes (2 U. S. C. 6).

4 SEC. 602. If any provision of or amendment made by  
 5 this Act or the application thereof to any person or circum-  
 6 stance is held invalid, the validity of the remainder of this  
 7 Act and of the application of such provision or amendment  
 8 to other persons and circumstances shall not be affected  
 9 thereby.

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H. R. 2010

Y B I T T

81st CONGRESS  
2d Session

H. R. 9619

## A BILL

To protect the civil rights of individuals by establishing a Commission on Civil Rights in the executive branch of the Government, a Civil Rights Division in the Department of Justice, and a Joint Congressional Committee on Civil Rights, to strengthen the criminal laws protecting the civil rights of individuals, and for other purposes.

By Mr. ROOSEVELT

FEBRUARY 28, 1936

Referred to the Committee on the Judiciary

1 informed with respect to the exercise of its functions under  
2 section 3 of the Joint Resolution amending to the Constitution  
3 and under section 22 of the Federal Statutes (5 U. S. C. 6).  
4 SEC. 603. If any provision of or amendment made by  
5 this Act or the application thereof to any person or circum-  
6 stance is held invalid, the validity of the remainder of this  
7 Act and of the application of such provision or amendment  
8 to other persons and circumstances shall not be affected.

ADMINISTRATIVE FILE  
Civil Rights  
Legislation H. R. 10027  
X

84TH CONGRESS  
2d Session

**H. R. 10027**

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 1956

Mr. DIXON introduced the following bill; which was referred to the Committee on the Judiciary

**A BILL**

To establish and prescribe the duties of a Civil Rights Division in the Department of Justice, and for other purposes.

**1 Be it enacted by the Senate and House of Representa-**  
**2 tives of the United States of America in Congress assembled,**

**3 That there shall be within the Department of Justice a Civil**  
**4 Rights Division.**

**5 SEC. 2.** One of the Assistant Attorneys General shall  
**6 exercise direct supervision and control over the Civil Rights**  
**7 Division.**

**8 SEC. 3.** The Attorney General shall delegate all of his  
**9 functions relating to the enforcement of Federal laws relat-**  
**10 ing to the protection of civil rights to the Civil Rights Di-**  
**11 vision, except such of those functions as he shall retain and**



ADMINISTRATIVE FILE  
Civil Rights  
11-10-68

1 exercise himself or shall delegate to the Federal Bureau of  
2 Investigation. It shall be the responsibility of the Civil  
3 Rights Division to conduct a continuous survey to determine  
4 in what respects improvement may be obtained in securing to  
5 the people their civil rights, and to determine the best means  
6 of obtaining such improvement.

7 SEC. 4. Section 348 of the Revised Statutes of the United  
8 States is amended by striking out "six" and inserting in lieu  
9 thereof "seven".

10 SEC. 5. The personnel of the Federal Bureau of Inves-  
11 tigation shall be increased to the extent necessary to carry  
12 out effectively the duties of such Bureau with respect to civil  
13 rights, and such Bureau shall include in the training of its  
14 agents appropriate training and instructions, to be approved  
15 by the Attorney General, in the investigation of civil-rights  
16 cases.



84TH CONGRESS  
2d Session

**H. R. 10027**

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**A BILL**

To establish and prescribe the duties of a Civil Rights Division in the Department of Justice, and for other purposes.

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By Mr. DINGELL

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MARCH 19, 1966  
Referred to the Committee on the Judiciary

ADMINISTRATIVE FILE

Civil Rights

Legislation-HR 10072

x

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MARCH 20, 1956  
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84TH CONGRESS

H. R. 10072

the continuing progress of our Nation with respect to pro-  
tection of the rights of individuals, the civil rights of some  
are being  
IN THE HOUSE OF REPRESENTATIVES  
March 20, 1956  
Mr. HOLTZMAN introduced the following bill; which was referred to the Com-  
mittee on the Judiciary

A BILL

To provide means of further securing and protecting the civil  
rights of persons within the jurisdiction of the United States.

1 Be it enacted by the Senate and House of Representa-  
2 tives of the United States of America in Congress assembled,  
3 That this Act, divided into titles and parts according to  
4 the following table of contents, may be cited as the "Civil  
5 Rights Act of 1955".



**TITLE I.—PROVISIONS TO STRENGTHEN THE FEDERAL GOVERNMENT  
MACHINERY FOR THE PROTECTION OF CIVIL RIGHTS**

**PART 2--REORGANIZATION OF CIVIL-RIGHTS ACTIVITIES OF THE  
DEPARTMENT OF JUSTICE**

**TITLE II—PROVISIONS TO STRENGTHEN PROTECTION OF THE INDIVIDUAL'S RIGHTS TO LIBERTY, SECURITY, CITIZENSHIP, AND ITS PRIVILEGES**

## PART 2—PROTECTION OF RIGHT TO POLITICAL PARTICIPATION

## INTERSTATE TRANSPORTATION

1        SEC. 2. (a) The Congress hereby finds that, despite  
2 the continuing progress of our Nation with respect to pro-  
3 tection of the rights of individuals, the civil rights of some  
4 persons within the jurisdiction of the United States are being  
5 denied, abridged, or threatened, and that such infringements  
6 upon the American principle of freedom and equality en-  
7 danger our form of government and are destructive of the  
8 basic doctrine of the integrity and dignity of the individual  
9 upon which this Nation was founded and which distinguishes  
10 it from the totalitarian nations. The Congress recognizes  
11 that it is essential to the national security and the general  
12 welfare that this gap between principle and practice be  
13 closed; and that more adequate protection of the civil rights

1 of individuals must be provided to preserve our American  
2 heritage, halt the undermining of our constitutional guar-  
3 anties, and prevent serious damage to our moral, social,  
4 economic, and political life, and to our international  
5 relations.

6 (b) The Congress, therefore, declares that it is its  
7 purpose to strengthen and secure the civil rights of the  
8 people of the United States under the Constitution, and that  
9 it is the national policy to protect the right of the individual  
10 to be free from discrimination based upon race, color, reli-  
11 gion, or national origin.

12 (c) The Congress further declares that the succeeding  
13 provisions of this Act are necessary for the following  
14 purposes:

15 (i) To insure the more complete and full enjoy-  
16 ment by all persons of the rights, privileges, and im-  
17 munities secured and protected by the Constitution of  
18 the United States, and to enforce the provisions of the  
19 Constitution.

20 (ii) To safeguard to the several States and Terri-  
21 tories of the United States a republican form of govern-  
22 ment from the lawless conduct of persons threatening  
23 to destroy the several systems of public criminal justice

and frustrate the functioning thereof through duly con-  
 stituted officials.

(iii) To promote universal respect for, and observ-  
 ance of, human rights and fundamental freedoms for all,  
 without distinction as to race or religion, in accordance  
 with the undertaking of the United States under the  
 United Nations Charter, and to further the national  
 policy in that regard by securing to all persons under  
 the jurisdiction of the United States effective recogni-  
 tion of certain of the rights and freedoms proclaimed  
 by the General Assembly of the United Nations in the  
 Universal Declaration of Human Rights.

(d) To the end that these policies may be effectively  
 carried out by a positive program of Federal action the  
 provisions of this Act are enacted.

SEC. 3. If any provision of this Act or the application  
 thereof to any person or circumstance is held invalid, the  
 validity of the remainder of the Act and of the application  
 of such provision to other persons and circumstances shall  
 not be affected thereby.

SEC. 4. There are hereby authorized to be appropriated  
 such sums as may be necessary to carry out the provisions  
 of this Act.

1 TITLE I—PROVISIONS TO STRENGTHEN THE FED-  
2 ERAL GOVERNMENT MACHINERY FOR THE  
3 PROTECTION OF CIVIL RIGHTS

4 PART 1—ESTABLISHMENT OF A COMMISSION ON CIVIL  
5 RIGHTS IN THE EXECUTIVE BRANCH OF THE GOVERN-  
6 MENT

7 SEC. 101. There is created in the executive branch of  
8 the Government a Commission on Civil Rights (hereinafter  
9 called the "Commission"). The Commission shall be com-  
10 posed of five members who shall be appointed by the Presi-  
11 dent by and with the advice and consent of the Senate.  
12 The President shall designate one of the members of the  
13 Commission as Chairman and one as Vice Chairman. The  
14 Vice Chairman shall act as Chairman in the absence or  
15 disability of the Chairman, or in the event of a vacancy in  
16 the office. Any vacancy in the Commission shall not affect  
17 its powers and shall be filled in the same manner in which  
18 the original appointment was made. Three members of the  
19 Commission shall constitute a quorum. Each member of the  
20 Commission shall receive the sum of \$50 per day for each  
21 day spent in the work of the Commission, together with  
22 actual and necessary traveling and subsistence expenses in-  
23 curred while engaged in the work of the Commission (or,



6  
1 in lieu of subsistence, a per diem allowance at a rate not in  
2 excess of \$10).

3 SEC. 102. It shall be the duty and function of the  
4 Commission to gather timely and authoritative information  
5 concerning social and legal developments affecting the civil  
6 rights of individuals under the Constitution and laws of the  
7 United States; to appraise the policies, practices, and en-  
8 forcement program of the Federal Government with respect  
9 to civil rights; and to appraise the activities of the Federal,  
10 State, and local governments, and the activities of private  
11 individuals and groups, with a view to determining what  
12 activities adversely affect civil rights. The Commission shall  
13 make an annual report to the President on its findings and  
14 recommendations, and it may in addition from time to time,  
15 as it deems appropriate or at the request of the President,  
16 advise the President of its findings and recommendations  
17 with respect to any civil-rights matter.

18 SEC. 103. (a) The Commission may constitute such  
19 advisory committees and may consult with such representa-  
20 tives of State and local governments, and private organiza-  
21 tions, as it deems advisable. The Commission shall, to the  
22 fullest extent possible, utilize the services, facilities, and in-  
23 formation of other Government agencies, as well as private  
24 research agencies, in the performance of its functions. All  
25 Federal agencies are directed to cooperate fully with the

1 Commission to the end that it may effectively carry out its  
2 functions and duties.

3 (b) The Commission shall have authority to accept and  
4 utilize services of voluntary and uncompensated personnel  
5 and to pay any such personnel actual and necessary travel-  
6 ing and subsistence expenses incurred while engaged in the  
7 work of the Commission (or, in lieu of subsistence, a per  
8 diem allowance at a rate not in excess of \$10).

9 (c) Within the limitations of its appropriations, the  
10 Commission is authorized to appoint a full-time staff  
11 director and such other personnel, to procure such printing  
12 and binding, and to make such expenditures as, in its  
13 discretion, it deems necessary and advisable.

14 PART 2—REORGANIZATION OF CIVIL RIGHTS ACTIVITIES  
15 OF THE DEPARTMENT OF JUSTICE

16 SEC. 111. There shall be in the Department of Justice  
17 an additional Assistant Attorney General, learned in the  
18 law, who shall be appointed by the President, by and with  
19 the advice and consent of the Senate, and shall, under the  
20 direction of the Attorney General, be in charge of a Civil  
21 Rights Division of the Department of Justice concerned  
22 with all matters pertaining to the preservation and enforce-  
23 ment of civil rights secured by the Constitution and laws  
24 of the United States.

25 SEC. 112. The personnel of the Federal Bureau of In-

1 vestigation of the Department of Justice shall be increased  
2 to the extent necessary to carry out effectively the duties  
3 of such Bureau with respect to the investigation of civil-  
4 rights cases under applicable Federal law. Such Bureau shall  
5 include in the training of its agents appropriate training and  
6 instructions, to be approved by the Attorney General, in the  
7 investigation of civil-rights cases.

8       PART 3—CREATION OF A JOINT CONGRESSIONAL  
9       COMMITTEE ON CIVIL RIGHTS

10       SEC. 121. There is established a Joint Committee on  
11 Civil Rights (hereinafter called the "Joint Committee"),  
12 to be composed of seven Members of the Senate, to be ap-  
13 pointed by the President of the Senate, and seven Members  
14 of the House of Representatives, to be appointed by the  
15 Speaker of the House of Representatives. The party repre-  
16 sentation on the Joint Committee shall as nearly as may be  
17 feasible reflect the relative membership of the majority and  
18 minority parties in the Senate and House of Representatives.

19       SEC. 122. It shall be the function of the Joint Com-  
20 mittee to make a continuing study of matters relating to civil  
21 rights, including the rights, privileges, and immunities  
22 secured and protected by the Constitution and laws of the  
23 United States; to study means of improving respect for and  
24 enforcement of civil rights; and to advise with the several



committees of the Congress dealing with legislation relating  
to civil rights.

SEC. 123. Vacancies in the membership of the Joint  
Committee shall not affect the power of the remaining mem-  
bers to execute the functions of the Joint Committee and  
shall be filled in the same manner as in the case of the  
original selection. The Joint Committee shall select a Chair-  
man and a Vice Chairman from among its members.

SEC. 124. The Joint Committee, or any duly author-  
ized subcommittee thereof, is authorized to hold such hear-  
ings, to sit and act at such places and times, to require, by  
subpena or otherwise, the attendance of such witnesses and  
the production of such books, papers, and documents, to  
administer such oaths, and to take such testimony, as it  
deems advisable. The provisions of sections 102 to 104,  
inclusive, of the Revised Statutes, as amended (2 U. S. C.  
192, 193, 194), shall apply in case of any failure of any  
witness to comply with a subpena or to testify when sum-  
moned under authority of this section. Within the limita-  
tions of its appropriations, the Joint Committee is empowered  
to appoint and fix the compensation of such experts, con-  
sultants, technicians, and clerical and stenographic assist-  
ance, to procure such printing and binding, and to make



1 such expenditures as, in its discretion, it deems necessary  
2 and advisable. The cost of stenographic services to report  
3 hearings of the Joint Committee, or any subcommittee  
4 thereof, shall not exceed 25 cents per hundred words.

5 SEC. 125. Funds appropriated to the Joint Committee  
6 shall be disbursed by the Secretary of the Senate on vouchers  
7 signed by the Chairman and Vice Chairman.

8 SEC. 126. The Joint Committee may constitute such  
9 advisory committees and may consult with such representa-  
10 tives of State and local governments and private organiza-  
11 tions as it deems advisable.

12 TITLE II—PROVISIONS TO STRENGTHEN PRO-  
13TECTION OF THE INDIVIDUAL'S RIGHTS TO  
14LIBERTY, SECURITY, CITIZENSHIP AND ITS  
15PRIVILEGES

16 PART I—AMENDMENTS AND SUPPLEMENTS TO EXISTING  
17CIVIL-RIGHTS STATUTES

18 SEC. 201. Title 18, United States Code, section 241,  
19 is amended to read as follows:

20 "SEC. 241. (a) If two or more persons conspire to  
21 injure, oppress, threaten, or intimidate any inhabitant of any  
22 State, Territory, or District in the free exercise or enjoyment  
23 of any right or privilege secured to him by the Constitu-  
24 tion or laws of the United States, or because of his having  
25 so exercised the same; or

1 "If two or more persons go in disguise on the highway,  
 2 or on the premises of another, with intent to prevent or  
 3 hinder his free exercise of enjoyment of any right or priv-  
 4 ilege so secured, they shall be fined not more than \$5,000  
 5 or imprisoned not more than ten years, or both.

6 "(b) If any person injures, oppresses, threatens, or  
 7 intimidates any inhabitant of any State, Territory, or Dis-  
 8 trict in the free exercise or enjoyment of any right or priv-  
 9 ilege secured to him by the Constitution or laws of the  
 10 United States, or because of his having so exercised the  
 11 same; or

12 "If any person goes in disguise on the highway, or on  
 13 the premises of another, with intent to prevent or hinder  
 14 his free exercise or enjoyment of any right or privilege so  
 15 secured, such person shall be fined not more than \$1,000  
 16 or imprisoned not more than one year, or both; or shall be  
 17 fined not more than \$10,000 or imprisoned not more than  
 18 twenty years, or both, if the injury or other wrongful con-  
 19 duct herein shall cause the death or maiming of the person  
 20 so injured or wronged.

21 "(c) Any person or persons violating the provisions of  
 22 subsections (a) and (b) of this section shall be subject  
 23 to suit by the party injured, or by his estate, in an action  
 24 at law, suit in equity, or other proper proceeding for dam-  
 25 ages or preventive or declaratory or other relief. The dis-

district courts, concurrently with State and Territorial courts, shall have jurisdiction of all proceedings under this subsection without regard to the sum or value of the matter in controversy. The term "district courts" includes any district court of the United States as constituted by chapter 5 of title 28, United States Code (28 U. S. C. 81 et seq.), and the United States court of any Territory or other place subject to the jurisdiction of the United States."

Sec. 202. Title 18, United States Code, section 242, is amended to read as follows:

"Sec. 242. Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects, or causes to be subjected, any inhabitant of any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution and laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color or race, than are prescribed for the punishment of citizens, shall be fined not more than \$1,000 or imprisoned not more than one year, or both; or shall be fined not more than \$10,000 or imprisoned not more than twenty years, or both, if the deprivation, different punishment, or other wrongful conduct herein shall cause the death or maiming of the person so injured or wronged."

1       Sec. 203, Title 18, United States Code, is amended by  
2 adding after section 242 thereof the following new section:

3       "Sec. 242A. The rights, privileges, and immunities re-  
4 ferred to in title 18, United States Code, section 242, shall  
5 be deemed to include, but shall not be limited to, the fol-  
6 lowing:

7       "(1) The right to be immune from exactions of  
8 fines, or deprivations of property, without due process  
9 of law.

10       "(2) The right to be immune from punishment for  
11 crime or alleged criminal offenses except after a fair  
12 trial and upon conviction and sentence pursuant to due  
13 process of law.

14       "(3) The right to be immune from physical vio-  
15 lence applied to exact testimony or to compel confession  
16 of crime or alleged offenses.

17       "(4) The right to be free of illegal restraint of  
18 the person.

19       "(5) The right to protection of person and property  
20 without discrimination by reason of race, color, religion,  
21 or national origin.

22       "(6) The right to vote as protected by Federal  
23 law."



1 SEC. 204. Title 18, United States Code, section 1583, is  
2 amended to read as follows:

3 "SEC. 1583. Whoever holds or kidnaps or carries away  
4 any other person, with the intent that such other person be  
5 held in or sold into involuntary servitude, or held as a slave;  
6 or

7 "Whoever entices, persuades, or induces any other per-  
8 son to go on board any vessel or other means of transporta-  
9 tion or to any other place within or beyond the United States  
10 with the intent that he may be made a slave or held in  
11 involuntary servitude, shall be fined not more than \$5,000,  
12 or imprisoned not more than five years, or both."

13 PART 2—PROTECTION OF RIGHT TO POLITICAL  
14 PARTICIPATION

15 SEC. 211. Title 18, United States Code, section 594,  
16 is amended to read as follows:

17 "SEC. 594. Whoever intimidates, threatens, coerces, or  
18 attempts to intimidate, threaten, or coerce, any other person  
19 for the purpose of interfering with the right of such other  
20 person to vote or to vote as he may choose, or of causing  
21 such other person to vote for, or not to vote for, any candi-  
22 date for the office of President, Vice President, Presidential  
23 elector, Member of the Senate, or Member of the House of  
24 Representatives, Delegates or Commissioners from the Terri-  
25 tories and possessions, at any general, special, or primary

1 election held solely or in part for the purpose of selecting  
2 or electing such candidate, shall be fined not more than  
3 \$1,000 or imprisoned not more than one year, or both."

4 SEC. 212. Section 2004 of the Revised Statutes (8  
5 U. S. C. 31) is amended to read as follows:

6 "All citizens of the United States who are otherwise  
7 eligible by law shall be entitled to and allowed the same  
8 and equal opportunity to qualify to vote and to vote at any  
9 general, special, or primary election by the people conducted  
10 in or by any State, Territory, district, county, city, parish,  
11 township, school district, municipality or other Territorial  
12 subdivision, without distinction, direct or indirect, based on  
13 race, color, religion, or national origin; any constitution, law,  
14 custom, usage, or regulation of any State or Territory, or by  
15 or under its authority, to the contrary notwithstanding. The  
16 right to qualify to vote and to vote, as set forth herein, shall  
17 be deemed a right within the meaning of, and protected by,  
18 the provisions of title 18, United States Code, section 242,  
19 as amended, section 1979 of the Revised Statutes (8 U. S. C.  
20 43), and other applicable provisions of law."

21 SEC. 213. In addition to the criminal penalties pro-  
22 vided, any person or persons violating the provisions of  
23 section 211 of this part shall be subject to suit by the party  
24 injured, or by his estate, in an action at law, suit in equity,  
25 or other proper proceeding for damages or preventive or

1 declaratory or other relief. The provisions of sections 211  
 2 and 212 of this part shall also be enforceable by the Attorney  
 3 General in suits in the district courts for preventive or declar-  
 4 atory or other relief. The district courts, concurrently with  
 5 State and Territorial courts, shall have jurisdiction of all  
 6 other proceedings under this section without regard to the  
 7 sum or value of the matter in controversy. The term "dis-  
 8 trict courts" includes any district court of the United States  
 9 as constituted by chapter 5 of title 28, United States Code  
 10 (28 U. S. C. 81 et seq.), and the United States court of  
 11 any Territory or other place subject to the jurisdiction of the  
 12 United States.

13 **PART 3.—PROHIBITION AGAINST DISCRIMINATION OR**  
 14 **SEGREGATION IN INTERSTATE TRANSPORTATION**

15 **SEC. 221.** (a) All persons traveling within the jurisdic-  
 16 tion of the United States shall be entitled to the full and  
 17 equal enjoyment of the accommodations, advantages, and  
 18 privileges of any public conveyance operated by a common  
 19 carrier engaged in interstate or foreign commerce, and all  
 20 the facilities furnished or connected therewith, subject only  
 21 to conditions and limitations applicable alike to all persons,  
 22 without discrimination or segregation based on race, color,  
 23 religion, or national origin.

24 (b) Whoever, whether acting in a private, public, or offi-  
 25 cial capacity, denies or attempts to deny to any person trav-



1 eling within the jurisdiction of the United States the full and  
2 equal enjoyment of any accommodation, advantage, or privi-  
3 lege of a public conveyance operated by a common carrier  
4 engaged in interstate or foreign commerce, except for reasons  
5 applicable alike to all persons of every race, color, religion,  
6 or national origin, or whoever incites or otherwise partici-  
7 pates in such denial or attempt, shall be guilty of a misde-  
8 meanor and shall, upon conviction, be subject to a fine of  
9 not to exceed \$1,000 for each offense, and shall also be  
10 subject to suit by the injured person or by his estate, in an  
11 action at law, suit in equity, or other proper proceeding for  
12 damages or preventive or declaratory or other relief. Such  
13 suit or proceeding may be brought in any district court of  
14 the United States as constituted by chapter 5 of title 28,  
15 United States Code (28 U. S. C. 81 et seq.), or the United  
16 States court of any Territory or other place subject to the  
17 jurisdiction of the United States, without regard to the sum  
18 or value of the matter in controversy, or in any State or  
19 Territorial court of competent jurisdiction.

20       Sec. 222. It shall be unlawful for any common carrier  
21 engaged in interstate or foreign commerce, or any officer,  
22 agent, or employee thereof, to segregate, or attempt to  
23 segregate, or otherwise discriminate against passengers using  
24 any public conveyance or facility of such carrier engaged  
25 in interstate or foreign commerce, on account of the race,



1 color, religion, or national origin of such passengers. Any  
 2 such carrier or officer, agent, or employee thereof who  
 3 segregates or attempts to segregate such passengers or other-  
 4 wise discriminate against them on account of race, color,  
 5 religion, or national origin shall be guilty of a misdemeanor  
 6 and shall, upon conviction, be subject to a fine of not to  
 7 exceed \$1,000 for each offense, and shall also be subject  
 8 to suit by the injured person in an action at law, suit in  
 9 equity, or other proper proceeding for damages or preventive  
 10 or declaratory or other relief. Such suit or proceeding may  
 11 be brought in any district court of the United States as con-  
 12 stituted by chapter 5 of title 28, United States Code (28  
 13 U. S. C. 81 et seq.), or the United States court of any  
 14 Territory or other place subject to the jurisdiction of the  
 15 United States, without regard to the sum or value of the  
 16 matter in controversy, or in any State or Territorial court  
 17 of competent jurisdiction.

44TH CONGRESS  
2d Session

**H. R. 10072**

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**A BILL**

To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

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By Mr. HOLTZMAN

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MARCH 20, 1906  
Referred to the Committee on the Judiciary